

Public Document Pack

**Democratic Services Section
Legal and Civic Services Department
Belfast City Council
City Hall
Belfast
BT1 5GS**



**Belfast
City Council**

14th May, 2026

PLANNING COMMITTEE

Dear Alderman/Councillor,

The above-named Committee will meet in hybrid format, both in the Lavery Room, City Hall and remotely via Microsoft Teams, on Tuesday, 19th May, 2026 at 5.00 pm, for the transaction of the business noted below.

You are requested to attend.

Yours faithfully,

John Walsh

Chief Executive

AGENDA:

7. **Committee Decisions that have yet to issue** (Pages 1 - 8)
8. **Miscellaneous Reports**
 - (a) Notice of Opinion from the Department for Infrastructure: application SPD/2023/0991/F section 54 application to remove condition 5 (restricting the number of daily Belfast to Dublin train services) on planning permission LA04/2017/1388/F for a new integrated Public Transport Interchange (the Belfast Transport Hub) (Pages 9 - 86)
9. **Planning Applications**
 - (b) **LA04/2026/0393/F** - Temporary planning approval for a caravan / campervan / motorhome site, with ancillary facilities including communal recreational spaces, toilets, showers, waste disposal points, food and drink area, site office, waste collection, lights, storage areas and all associated temporary structures and works - Lands at the Titanic Quarter, between Hamilton Road, Queens Road and Sydenham Road. Immediately NE, E and SE of Belfast Metropolitan College, approximately 150m SE of Titanic Hotel, 8 Queens Road (Pages 87 - 96)

Planning Applications Discussed at Committee Between 01 Apr 2019 and 12 May 2026

Decision Description		Totals											
Application Withdrawn		22											
Consent Granted													
Consent Refused													
Permission Granted		2											
Permission Refused													
Total		24											
Application No.	Location	Proposal	Category	Date Valid	Statutory Target Date	Statutory Target Weeks	Current number of Weeks	Committee Date	Weeks between Valid date and Comm date	Weeks Since Committee	Previous New Non-statutory Target Date	New Non-statutory Target Date	Reason decision not issued
LA04/2022/2059/F	Lands south of 56 Highcain Drive Belfast BT13 3RU Site located at junction between Highcain Drive and Dunboyne Park Belfast.	Social Housing Development comprising of 12 no. 3p/2b semi-detached dwelling houses with incurtilage parking and associated site works. (amended description and site location plan)	LOC	04-Nov-22	17-Feb-23	15	184	29/06/2023	33	149	31/05/2026	31/05/2026	Awaiting Section 76 Agreement - land ownership issues on the applicant's side. S76 nearing completion
LA04/2023/4543/F	885 Shore Road, Belfast, BT36 7DH	Proposed new changing pavilion, enhancing grounds entrances including turnstiles, ancillary facilities and upgrade to existing car park. Proposed 3G surfacing to existing grass pitch with flood lighting.	LOC	01-Feb-24	16-May-24	15	119	17/06/2025	71	47	Unknown	31.5.26	Information provided by applicant and DAERA: NED reconsulted
LA04/2024/1036/F	Lands to the east of the River Lagan located between Lagan Gateway Phase 1 and Belvoir Park Forest, running adjacent to the west of Belvoir Park Golf Club and approximately 120 metres to the east of Newtownbreda Water Treatment Plant, Galwally Ave, Belfast BT8 7YA.	Lagan Gateway Phase 2 – Proposed greenway connection extending between Lagan Gateway Phase 1 at Annadale Embankment to Belvoir Forest Park. Comprising compacted gravel paths; a new elevated (4-5 meter high) timber boardwalk (approximately 85m long); landscaping works, new cycle stands, bollards, seats and bins; and all associated works	LOC	10-May-24	23-Aug-24	15	105	17/06/2025	57	47	Unknown	Unknown	Further information requested from applicant following request from DAERA NIEA

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Agenda Item 7

LA04/2025/0535/F	Lands West of Monagh By-Pass South of Upper Springfield Road & 30-34 Upper Springfield Road & West of Aitnamona Crescent & St Theresa's Primary School. North and East of 2-22 Old Brewery Lane, Glanaulin, 137-143a Glen Road & Airfield Heights & St Mary's CBG School Belfast	Variation of conditions 1, 2, 3, 4, 5, 11, 14, 17, 18, 19, 36, 37 and 41 of approval LA04/2023/2390/F and LA04/2020/0804/F to facilitate removal of 31 previously approved dwellings and retaining structure along northern boundary of site adjacent to Upper Springfield Road. Retention of existing sloping ground levels and landscaping at this location.	MAJ	27-May-25	23-Dec-25	30	50	17/06/2025	3	47	31/05/2026	30/06/2026	Awaiting conclusion of S77 agreement (amendment to S76 agreement). DfI Roads require further amendments from applicant for scheme to be acceptable
LA04/2024/1865/O	Land between No 22 Squires View and Nos 57 & 59 Squires Hill Road, Belfast.	3no. detached dwellings part 2 storey part 3 storey (amended plans)	LOC	28-Oct-24	10-Feb-25	15	80	12/08/2025	41	39	31/05/2026	30/06/2026	Late objections received. Additional information received from applicant regarding land stability issue. New objection from Shared Environmental Services being considered. To be reported back to Committee
LA04/2025/1454/F	The Lockhouse 13 River Terrace Belfast BT7 2EN	New community wellbeing centre and cafe extension to existing lockhouse building	LOC	17-Sep-25	31-Dec-25	15	34	09/12/2025	11	22			Permission Granted
LA04/2025/0605/F	341-345 Albertbridge Road, Ballymacarret, Belfast, BT5 4PY	Erection of a four storey building to create 29no. short-term let accommodation units with ancillary roof-mounted solar panels	LOC	09-Apr-25	23-Jul-25	15	57	17/02/2026	44	12	TBC	TBC	Application considered at February 2026 Committee following site visit

LA04/2025/0288/F	Existing taxi passenger terminal and former retail unit located within 35a King Street, Belfast, BT1 1HU.	Retrospective change of use from ground floor taxi passenger terminal, cafe, office and newsagent to a Homeless Centre, Category D1(B). The centre will provide meals, washing and changing facilities and an internal social amenity area for users. The centre will operate Monday, Tuesday, Wednesday and Thursday each week from 4:00 pm up until 10:00 pm (Amended Description)	LOC	11-Mar-25	24-Jun-25	15	61	17/02/2026	49	12	31/05/2026	30/06/2026	Additional information regarding odour abatement requested from applicant; Environmental Health re-consulted
LA04/2022/0809/F Page 3	Lands to the south and west of Woodland Grange to the north of Blacks Gate and to the east of Moor Park Mews Belfast.	Amendments to approved schemes ref. Z/2008/0993/F (erection of 53 No. dwellings) & ref. Z/2013/0120/F (erection of 46 No. dwellings); to reduce overall density from 99 No. dwellings to 92 No. dwellings and associated and ancillary works.	MAJ	21-Apr-22	17-Nov-22	30	212	17/02/2026	199	12	31/05/2026	30/06/2026	Amended road layout (PSD) drawings submitted by applicant following comments from DfI Roads. DfI Roads reconsulted
LA04/2025/0463/F	Decco Ltd 1-5 Redcar Street, Belfast, BT6 9BP	Proposed change of use of Vacant Warehouse to indoor Padel Court Facility to include, Cafe, Changing rooms, Gym, Picklecourts and ancillary site development works	LOC	26-Mar-25	09-Jul-25	15	59	10/03/2026	49	9	N/A	31/05/2026	Delegated authority sought to resolve final response from NIW. Discussions ongoing
LA04/2025/0574/F	Surface level car park at lands to east of Lanyon Place Station Mays Meadow, Belfast, BT1 3NR	Erection of eight storey building comprising seven floors of grade A office accommodation, ground floor retail / business units together with car parking (15 no. spaces), cycle parking and plant areas; and public realm improvements including dedicated drop-off area to front of building	MAJ	17-Apr-25	13-Nov-25	30	56	10/03/2026	46	9	N/A	31/05/2026	Applicant to address issues raised by DfI Roads

LA04/2025/0594/F	163 Ballygomartin Road, Belfast, BT13 3NA	Change of use from 4 bedroom residential property (C1) with to 5 bed HMO with occupancy of 5 (Sui Generis)	LOC	30-Apr-25	13-Aug-25	15	54	10/03/2026	44	9	N/A	To be reconsidered	Deferred for Site Visit. Consulting NIW
LA04/2025/1002/F	24 Rutherglen Street, Belfast, BT13 3LS	Change of use from 4 bed residential dwelling (C1) to 5 bedroom HMO (suis generis) with occupancy for 5 people	LOC	17-Jul-25	30-Oct-25	15	43	10/03/2026	33	9	N/A	To be reconsidered	Deferred for Site Visit. Consulting NIW
LA04/2025/1003/F	81-107 York Street, Belfast, BT15 1AT	Proposed use of 300 No. Student Bedrooms/Studios as Short Term Let Accommodation outside of term time.	LOC	16-Jun-25	29-Sep-25	15	47	10/03/2026	38	9	N/A	31/05/2026	S76 being signed, then to issue
LA04/2023/3795/F	1 Wellington Park Terrace, Belfast, BT9 6DR	Proposed 360 degree rotating car parking bay with new access onto Wellington Park Lane and levels changes. Removal of boundary vegetation and wall to accommodate sliding gate (Amended Proposal)	LOC	13-Jul-23	26-Oct-23	15	148	21/04/2026	144	3	N/A	31/05/2026	Decision notice being drafted for issue
LA04/2023/3656/LBC	1 Wellington Park Terrace, Belfast, BT9 6DR	Proposed 360 rotating car parking bay with new access onto Wellington Park Lane and levels changes. Removal of boundary vegetation and wall to accommodate sliding gate (Amended)	LOC	16-May-24	29-Aug-24	15	104	21/04/2026	100	3	N/A	31/05/2026	Decision notice being drafted for issue
LA04/2024/0852/F	Common Market 16-20 Dunbar Street, Belfast, BT1 2LH	Retention of change of use from warehouse and offices to public house (Linked to adjacent public house) and entertainment venue/events space including street food market for on premises consumption	LOC	03-Jun-24	16-Sep-24	15	101	21/04/2026	98	3	N/A		Decision notice being drafted for issue

LA04/2021/2839/F	29-32 College Gardens Belfast BT9 6BT	Proposed change of use from offices to 17no. 1 bedroom and 2no. 2 bedroom apartments with alterations to rear facade and dormers.	LOC	13-Dec-21	28-Mar-22	15	230	21/04/2026	227	3	N/A		Decision notice being drafted for issue
LA04/2025/1350/F	29 GLENCAIRN STREET EDENDERRY BELFAST BT13 3LT	Change of Use from 3 bed Dwelling (Class C1) to 5-bed, 5-person HMO (sui generis)	LOC	24-Jul-25	06-Nov-25	15	42	21/04/2026	38	3	N/A	31/05/2026	Drafting refusal reasons
LA04/2025/2096/F	Land adjacent to Quay Gate House 15 Scrabo Street Belfast BT5 4D: footpaths and public realm at Scrabo Street Station Street and Middlepath Street.	Variation of Condition 5 of Planning Permission LA04/2019/2387/F relating to Noise Impact Assessment.	MAJ	04-Dec-25	02-Jul-26	30	23	21/04/2026	19	3	N/A		Decision notice being drafted for issue
Page 5 LA04/2025/2113/F	St. Marys Christian Brothers Grammar School St Marys Christian Brothers Grammar School 147a Glen Road, Andersonstown, Belfast, BT11 8NR	The construction of a new Sports Hall, Gymnasium and P.E Facility and footbridge connecting to existing GAA playing field	MAJ	09-Dec-25	07-Jul-26	30	22	21/04/2026	19	3	N/A		Decision notice being drafted for issue
LA04/2025/2138/F	Westbourne Presbyterian Church 149a Newtownards Road Belfast BT4 1AB	A blitz memorial sculpture, made from glass fibre reinforced concrete, set on a concrete plinth within the grounds of Westbourne Presbyterian Church	LOC	03-Feb-26	19-May-26	15	14	21/04/2026	11	3	N/A		Permission Granted

LA04/2024/1646/F	46-50 Gilnahirk Road, Belfast, BT5 7DG	Demolition of existing dwelling (no. 50 Gilnahirk Road) to facilitate proposed extension and alterations to existing petrol filling station including extension of retail floor space, extension and realignment of carpark to provide 9 no. additional car parking spaces and pedestrian access, cycle parking, construction of retaining wall and associated landscaping	LOC	01-Oct-24	14-Jan-25	15	84	21/04/2026	81	3	N/A	Deferred for Site Visit
LA04/2022/0071/LBC	29-32 College Gardens Belfast BT9 6BT	Proposed change of use from offices to 17no. 1 bedroom and 2no. 2 bedroom apartments with alterations to rear facade and dormers.	LOC	14-Dec-21	29-Mar-22	15	230	21/04/2026	227	3	N/A	Decision notice being drafted for issue

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Subject:	Notice of Opinion from the Department for Infrastructure: application SPD/2023/0991/F section 54 application to remove condition 5 (restricting the number of daily Belfast to Dublin train services) on planning permission LA04/2017/1388/F for a new integrated Public Transport Interchange (the Belfast Transport Hub)
Date:	19 th May 2026
Reporting Officer(s):	Kate Bentley, Director of Planning and Building Control
Contact Officer(s):	Ed Baker, Planning Manager (Development Management) Lisa Walshe, Principal Planning Officer

Restricted Reports	
Is this report restricted?	No
If Yes, when will the report become unrestricted?	
After Committee Decision After Council Decision Some time in the future Never	

Call-in	
Is the decision eligible for Call-in?	Yes

1.0	Purpose of Report or Summary of Main Issues
1.1	The Department for Infrastructure (DfI) has issued a Notice of Opinion to the Council, stating its intention to approve a s54 application to remove condition 5 (restricting the number of daily Belfast to Dublin train services) on planning permission LA04/2017/1338F. The application relates to the operation of the new integrated Public Transport Interchange (the Belfast Transport Hub – Grand Central Station).
1.2	The Notice of Opinion asks the Council to confirm whether it wishes to appear before and be heard by the Planning Appeals Commission, or a person appointed by the Department for the purposes of a hearing, in relation to the application.

2.0	Recommendation
2.1	That the Council notes the Notice of Opinion and advises DfI that it does not wish to appear before and be heard by the Planning Appeals Commission, or a person appointed by the Department for the purposes of a hearing.
3.0	Main Report
	<u>Background</u>
3.1	DfI granted planning permission for the Belfast Transport Hub (now known as Grand Central Station) on 29 th March 2019 (ref. LA04/2017/1388/F). DfI had called in the application, which had originally been submitted to Belfast City Council, having deemed the proposal to be of regional significance. A copy of the decision notice is provided at Appendix 1 .
3.2	Condition 5 of the planning permission states that there shall be no more than 8 daily Belfast to Dublin train services each way into the approved development (16 in total).
3.3	DfI has received an s54 application from NI Transport Holding Company to remove condition 5 of the planning permission so that there are no limits on such train services (SPD/2023/0991/F). Having considered the application, DfI has issued a Notice of Opinion to the Council, dated 27 th April 2026, stating its intention to grant planning permission, setting out the proposed conditions. The Notice of Opinion states that DfI must receive any request for an opportunity for the Council to appear before and be heard by the Planning Appeals Commission, or a person appointed by the Department for the purposes of a hearing.
3.4	DfI's letter gives the Council 42 days to respond, i.e. by 8 th June 2026. This time period gives opportunity to report this matter to the Committee.
3.5	A copy of the Notice of Opinion is provided at Appendix 2 .
3.6	Members should note that approval of the application would create a new standalone planning permission.
	<u>Key Issues</u>
3.7	The application to remove condition 5 was submitted to DfI on 27 November 2026. It can be viewed on the NI Planning Portal at the link below: https://planningregister.planningsystemni.gov.uk/application/680519
3.8	The full description of the proposal is: <i>'Application under Section 54 to remove Condition 5 (restricting the number of daily Belfast to Dublin train services) on planning permission Ref: LA04/2017/1388/F for a New Integrated Public Transport Interchange (the Belfast Transport Hub).'</i>
3.9	According to the applicant's Planning Statement, the original condition was imposed by DfI on the advice of the Council's Environmental Health team, because there was insufficient noise modelling information at the time to ascertain the impact of more frequent train services.
3.10	DfI's consideration of the s54 application is set out in its Case Officer Report and Addendum Case Officer report, provided at Appendix 3 .

3.11	As set out in the Case Officer Report, having assessed the further noise modelling information submitted with the application, Environmental Health is satisfied that there would be no adverse noise impacts as a consequence of Belfast/Dublin Enterprise services increasing to 32 movements daily, offering no objection to the removal of condition 5.
3.11	Environmental Health further advises that there would be no adverse impact in terms of amenity or impact on air quality.
3.12	DfI is satisfied that there would be no other harmful environmental impact, concurring with the Environmental Statement Addendum in this regard.
3.13	The Case Officer report also refers to the economic benefits of the proposal; the Environmental Statement Addendum referring to significant potential for economic development benefits through the growth of enterprise services for commuting and the growth of local urban economics through enhanced tourism, leisure and shopping opportunities. There would be further benefits in terms of enhanced access to hospitals and medical centres, education and leisure facilities. Any delay or restriction could result in the loss of €165 of EU funding and loss of revenue to Translink over 30 years of circa £157m.
3.14	The Case Officer report refers to the support for the application from the Council, citing the growth in cross-border workers and how there is opportunity to improve growth in cross-border trade of services with improved transport links. The proposal aligns with the all-island rail review 2024 which identified that service frequencies and speeds between Belfast and Dublin are relatively low compared to similar infrastructure in other capital cities. It's the Council's view that improved intercity connectivity is essential to business and communities in Belfast, providing linkages to facilitate trade, investment, tourism and labour mobility.
3.15	A full summary of consultation responses is provided at Appendix 3 of the Case Officer report.
	<u>Recommendation</u>
3.16	On the basis of Environmental Health's advice on the removal of condition 5, the assessment of the issues as set out in DfI's Case Officer and Addendum Case Officer reports, and the Council's corporate consultation response to the application, it is recommended that the Council notes the Notice of Opinion. Also, that the Council confirms to DfI that it does not wish to appear before and be heard by the Planning Appeals Commission, or a person appointed by the Department for the purposes of a hearing.
3.17	It should be noted that any request to appear before and be heard by the Planning Appeals Commission (or other body) would require a hearing to be convened and would push back the timing of the decision on the application.
6.0	Financial & Resource Implications
6.1	The Council's consideration of the Notice of Opinion has very minor resourcing implications. However, were the Council to request to appear before and be heard by the Planning Appeals Commission (or other body), there would be an impact on resources and costs in terms of preparing a statement of case and attending the hearing.
7.0	Equality or Good Relations Implications / Rural Needs Assessment
7.1	There are no equality or good relations / rural needs implications associated with this report.

8.0	Appendices – Documents Attached
	Appendix 1 – decision notice for planning application LA04/2017/1388/F Appendix 2 – Notice of Opinion from DfI (dated 27 th April 2026) Appendix 3 – DfI Case Officer and Addendum Case Officer reports

APPROVAL OF PLANNING PERMISSION

Planning Act (Northern Ireland) 2011

Application No: LA04/2017/1388/F

Date of Application: 16th June 2017

Site of Proposed
Development:

Lands: To The East Of The Westlink (A12); South Of (Nos.127-9) And Including Grosvenor Road; At Intersection Of Grosvenor Road And Stanley Street; At The Intersection Of Durham Street And Grosvenor Road; At The Intersection Of Fisherwick Place And Howard Street; At Great Victoria Street (between Nos. 1-3 To 27-45); At Glengall Street (between Nos. 3-21); At The Junction Of Hope Street, Bruce Street And Great Victoria Street; At The Junction Of Durham Street, Linfield Road, Sandy Row And Hope Street; At Sandy Row From 2 Hurst Park To 85-87 Sandy Row, Gilpins Site; To North Of Former Whitehall Tobacco Works At Linfield Road, Weavers Court Business Park/ Linfield Industrial Estate, Blythefield Primary School And Charter Youth Club; At Weavers Court Business Park And Railway Track Lands Surrounding Arellian Nursery And Bounded By Utility Street/Bentham Drive/Egmot Gardens/ Felt Street (to North); Prince Andrew Park And Abingdon Drive (to South); Beit Street, Roosevelt Rise, Roosevelt Square & Inverna Close (to west); Donegall Road (to south and east); lands to south of Utility Street, north of railway line and west of Donegall Road; and BMXTrack/Open space at lands to south of Westlink, west of railway line and east of Inverna Close, Belfast.

Description of Proposal:

New integrated public transport interchange comprising; station concourse, 26 bus stands, 8 railway platforms, bus maintenance and parking, track and signalling enhancements, bus access bridge, cycle and taxi provision, car parking, new public square, public realm improvements, highway improvements, infrastructure improvements, temporary structures for bus operations during construction and temporary site construction compounds.



Applicant: NITHCO
Address: 22 Great Victoria Street
Belfast
BT2 7LX

Agent: Juno Planning and Environmental
Address: Ltd
409 Lisburn Road
Belfast
BT9 7EW

Drawing Ref: 01 Rev B, 02-08, 09 Rev B, 10 – 41 Rev A, 42-45, 46 -58 Rev B, 59 - 60 Rev A, 61 Rev B, 62 – 65 Rev A, 66 Rev B, 67 - 74 Rev A, 76, 78 – 81 Rev B, 82 Rev A, 83 – 88 Rev B, 89 Rev A, 90 – 96 Rev B, 97, 98 – 100 Rev B, 101, 102, 103 Rev A, 104 Rev A, 105, 106 – 108 Rev A, 109 -115, 116 Rev A, 117, 118 Rev A, 119 Rev B, 120 Rev B, 121 – 123 Rev A, 124 – 126, 127 – 136 Rev A, 138 - 143

The Department for Infrastructure in pursuance of its powers under the above-mentioned Act hereby

GRANTS PLANNING PERMISSION

for the above-mentioned development in accordance with your application subject to compliance with the following conditions which are imposed for the reasons stated:

1. As required by Section 61 of the Planning Act (Northern Ireland) 2011, the development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

Reason: Time Limit.

2. Within 6 months of full operation of the development, the Station Square and all public realm works shall be fully implemented in accordance with the approved details.

Reason: To ensure the public realm works are carried out.

3. The buildings for a temporary bus wash refuel facility and a temporary staff mess and training facility hereby permitted, shall be removed and the land restored in accordance with the approved details within 5 weeks of the date of occupation of the permanent facilities.

Reason: This type of temporary accommodation is such that its permanent retention



would harm the amenity of the area.

4. Within 6 months of completion of construction works in the Blythefield Park area, the allotments temporarily lost during construction shall be reinstated.

Reason: In the interests of amenity.

5. There shall be no more than 8 daily Belfast to Dublin train services each way into the approved development (16 in total).

Reason: In the interest of residential amenity.

6. No development to the public highway within each construction phase (as detailed in the Construction Programme in Section 2 of the Further Environmental Information (FEI) 2 Submission dated April 2018) of the development hereby permitted shall be commenced until drawings have been submitted to and approved in writing by the Planning Authority of a detailed design for the road works in accordance with the Design Manual for Roads and Bridges (DMRB), including Road Safety Audit, as generally indicated on the approved drawings.

Reason: To ensure the road works deemed necessary for the development to provide a proper and safe public road and site access are completed.

7. The development hereby permitted, will be undertaken in line with the approved Construction Phase Sustainable Travel Plan. Prior to commencement of construction of each phase of the development (as detailed in the Construction Programme in Section 2 of the FEI 2 Submission dated April 2018), an updated Construction Phase Sustainable Travel Plan shall be submitted to and agreed in writing by the Planning Authority. The Construction Phase Sustainable Travel Plan shall also be reviewed on a 6-monthly basis. The development shall proceed in accordance with the most recently agreed plan.

Reason: To facilitate the convenient movement of all road users and the orderly progress of work in the interests of road safety.

8. The development to the public highway on Durham Street hereby permitted shall not be commenced until network modelling and analysis, to include the provision of alternative modes of transport, has been completed, which demonstrates that the resultant impact will not adversely affect the road network through the provision of traffic mitigation measures to be submitted to and agreed in writing with the Planning Authority. The traffic mitigation measures shall be fully implemented before any works to Durham Street are commenced.



Reason: To facilitate the convenient movement of all road users and the orderly progress of work in the interests of road safety.

9. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.
The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing Nos. 90 (Rev B) through 96 (Rev B) and 130 (Rev A) through 136 (Rev A) and 138 through 140 received by the Department on 02 May 2018.
The Department hereby attaches to the determination a requirement under Article 3(4A) of the above Order that such works shall be carried out in accordance with an agreement under Article 3 (4C).

Reason: To ensure there is a safe and convenient road system within the development and to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.

10. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.
No other development hereby permitted shall become operational until the works necessary for the improvement of a public road have been completed in accordance with the details outlined blue on Drawing Nos. 90 (Rev B) through 96 (Rev B) and 130 (Rev A) through 136 (Rev A) and 138 through 140 received by the Department on 02 May 2018. The Department hereby attaches to the determination a requirement under Article 3(4A) of the above Order that such works shall be carried out in accordance with an agreement under Article 3 (4C).

Reason: To ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the development are carried out.

11. No part of the development hereby permitted (excluding any temporary facilities) shall become operational until a Travel Plan has been submitted and approved in writing by the Planning Authority in accordance with the approved Travel Plan framework.

Reason: To facilitate access to the site by means other than the private car and the servicing of the site in the interests of road safety and traffic progression.

12. The development hereby permitted (excluding any temporary facilities) shall not become fully operational until 200 cycle parking stands are provided and thereafter retained and an Active Travel Centre have been provided at a location within the existing station.

Reason: To facilitate access to the site by means other than the private car and the servicing of the site in the interests of road safety and traffic progression.



13. The development hereby permitted (excluding any temporary facilities) shall not become operational until 223 car parking spaces have been provided as detailed in Table 2 of the Environmental Statement, Volume 1, Chapter 15 and as indicated on the approved drawings.

Reason: To ensure the provision of adequate parking facilities in the interests of road safety and the convenience of road users.

14. An Air Quality monitoring survey shall be conducted within the concourse area adjacent to the Grosvenor Road entrance to the station in accordance with the government's Local Air Quality Management Technical Guidance LAQM.TG(16) for the period of one year immediately after opening in order to demonstrate compliance with the hourly mean limit value for NO₂ concentrations. On completion of the air quality monitoring survey, the air quality monitoring results shall be submitted to the Planning Authority for review and the results must be approved in writing. In the event that the monitored NO₂ levels exceeds the 1 hour limit value, the applicant shall submit a mitigation plan to the Planning Authority in order to reduce NO₂ levels below the limit value. This Plan must be agreed in writing with the Planning Authority and implemented as agreed.

Reason: Protection of human health.

15. Prior to commencement of each phase of the construction/demolition process (as detailed in the Construction Programme in Section 2 of the FEI 2 Submission dated April 2018), and in accordance with Appendix A/A3 of Belfast Transport Hub, Environmental Statement, Vol II, dated June 2017, the applicant shall submit a Dust Management Plan in accordance with IAQM guidance to the Planning Authority for review. The Plan must be approved in writing and shall be implemented as agreed.

Reason: Protection of human health.

16. Prior to the operation of any part of the staff canteen or the Enterprise food preparation area kitchen, the odour abatement technology employed to suppress and disperse cooking odours from these areas shall be installed in accordance with the design recommendations contained within Chapter 9 - Air Quality Vol I - Sections 8.5.45-8.5.51 of the Environmental Statement, dated June 2017. The odour abatement technology shall be retained thereafter and the extraction and ventilation system shall be cleaned and maintained in accordance with the manufacturer's instructions.

Reason: In the interests of amenity.



17. Prior to commencement of each phase of construction/demolition activity (as detailed in the Construction Programme in Section 2 of the FEI 2 Submission dated April 2018) and in accordance with the submitted Environmental Statement, dated June 2017, Chapter 9, Mitigation Measures, Section 9.6.6 and Appendix A/A4 of Belfast Transport Hub, Environmental Statement, Vol II, dated June 2017 and FEI documentation, the applicant shall submit a Construction Noise Management Plan (CNMP) to the Planning Authority for review and written approval. Each CNMP shall outline the methods to be employed to minimise any noise and vibration impact in accordance with current guidance and include a detailed programme for the demolition/construction phase, the proposed noise and vibration monitoring methods, noise mitigation methods and community liaison. The Plan shall be implemented as agreed.

Reason: In the interest of residential amenity.

18. Prior to commencement of the relevant construction phase (as detailed in the Construction Programme in Section 2 of the FEI 2 Submission dated April 2018), temporary noise barriers shall be erected at Abingdon Drive and Bentham Drive locations in accordance with the Environmental Statement, dated June 2017, Chapter 9, Section 9.6.2 and Vol III Figures: Figure 14 - Location of temporary noise barriers for construction.

Reason: In the interest of residential amenity.

19. Prior to the commencement of the Main Construction Contract Phase 1-3 (as detailed in the Construction Programme in Section 2 of the FEI 2 Submission dated April 2018), a Verification Report shall be submitted to the Planning Authority for review and approval in writing. The report shall demonstrate that the Rating Level (dB LAr) of sound from all combined plant and equipment associated with the development is 5dB(A) below the typical background sound level (for both daytime and night time) at sound sensitive residential premises as determined through calculation in accordance with assessment methodology outlined in BS4142:2014 - Methods for rating sound and assessing industrial and commercial sound, as specified in the Environmental Statement, dated June 2017, Chapter 9, Mitigation Measures, Section 9.6.11. Once the development becomes operational, the approved Rating Level (dB LAr) from all combined plant and equipment shall be maintained at that level (or lower) thereafter.

Reason: In the interest of residential amenity.

20. Prior to commencement of the development and in accordance with the Environmental Statement, dated June 2017, Section 10.6 Mitigation, (Section 10.6.6), a Contaminated Land Remediation Strategy and Remediation Implementation and Verification Plan (RIVP) shall be submitted to the Planning Authority for review and approval in writing.



The Remediation Strategy must outline the measures to be undertaken to ensure that the identified pollutant linkages are demonstrably broken and no longer pose a potential risk to human health. In particular, the Strategy shall detail the:

- proposed gas protection measures to be installed throughout all buildings of the development in line with BS 8485:2015 as informed by the monitoring results contained within Appendix E6 and additional gas monitoring at specific gas installations as specified in 10.6.16 of Chapter 10 and Appendix E E6.7.
- proposed capping system to be installed within all landscaped areas
- decommissioning of underground tanks and associated pipework in accordance with Pollution Prevention Guidelines (PPG 27)
- method of removal of contaminated soils associated with the historical underground tanks

Reason: Protection of human health.

21. No development shall commence until the Planning Authority has received a groundwater and surface water monitoring plan for the development to include:
- specified sampling points,
 - substances to be monitored including petroleum hydrocarbon fractions in solution,
 - detection limits for laboratory analyses,
 - water level monitoring to metres above datum (local or ordnance).
- These works are required to ensure the necessary monitoring is in place to anticipate any potential discharges to the water environment. The monitoring schedule shall include all development works and post development rebound of groundwater levels. The monitoring plan shall be implemented throughout the remediation phase and the results submitted for approval in writing as part of the Verification Report.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

22. Prior to the operation of the development, the applicant shall provide to the Planning Authority, for approval in writing, a Contaminated Land Verification Report. This report must demonstrate that the remediation measures outlined in the agreed contaminated land Remediation Strategy have been implemented.
- The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for the proposed end-use. It must demonstrate that any identified significant pollutant linkages are effectively broken. The Verification Report should be in accordance with current best practice and guidance as outlined by the Environment Agency.

Reason: Protection of human health, to protect the European Sites in Belfast Lough from adverse impacts during the construction phase and to protect environmental receptors to ensure the site is suitable for use.



23. A final Construction Environmental Management Plan for each construction phase (as detailed in the Construction Programme in Section 2 of the FEI 2 Submission dated April 2018) shall be submitted to and agreed in writing with the Planning Authority prior to any works commencing on that phase. This Plan shall reflect all the mitigation, and avoidance measures to be employed as outlined in the Environmental Statement (ES Vol I, June 2017), Outline Construction Environmental Management Plan (ES Vol II, Appendix A1, 13th June 2017), Water Environment (ES Vol II, Appendix H, 9th June 2017), Invasive Species Management Plan (ES Vol II, Appendix A1, 13th June 2017) and all additional submitted information. The approved CEMP shall be adhered to and implemented throughout that phase of construction strictly in accordance with the approved details.

Reason: To protect the European Sites in Belfast Lough from adverse impacts during the construction phase.

24. If during the development works, new contamination or risks to the water environment are encountered which have not previously been identified, works shall cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11). In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing, and subsequently implemented and verified to its satisfaction.

Reason: To protect the European Sites in Belfast Lough from adverse impacts during the construction phase and to protect environmental receptors to ensure the site is suitable for use.

25. The development hereby permitted shall not be occupied until the remediation measures as described in the Remediation Strategy and Remediation Options Appraisal Issue 01 (June 2017) have been implemented to the satisfaction of the Planning Authority. The Planning Authority shall be given 2 weeks written notification prior to the commencement of remediation work.

Reason: To protect the European Sites in Belfast Lough from adverse impacts during the construction phase and to protect environmental receptors to ensure the site is suitable for use.

26. All fuel storage tanks (and associated infrastructure) shall be fully decommissioned and removed in line with current Pollution Prevention Guidance (PPG2, PPG27) and the quality of surrounding soils and groundwater verified in writing with the Planning Authority.

Reason: Protection of environmental receptors to ensure the site is suitable for use.



27. No piling work shall commence on each phase until a piling risk assessment for that phase has been submitted in writing and agreed with the Planning Authority. The piling risk assessments shall be undertaken in accordance with the methodology contained within the Environment Agency document on "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention" available at <http://publications.environment-agency.gov.uk/PDF/SCHO0501BITT-E-E.pdf>.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

28. A suitable buffer of at least 10m shall be maintained between the location of refuelling, storage of oil/fuel, concrete mixing and washing areas, storage of machinery/material/spoil and the Blackstaff River and Pound Burn River which traverse the site.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

29. No site works of any nature or development shall take place until a programme of archaeological work has been implemented, in accordance with a written scheme and programme prepared by a qualified archaeologist, submitted by the applicant and approved by the Planning Authority. The programme should provide for the identification and evaluation of archaeological remains within the site, for mitigation of the impacts of development, through excavation recording or by preservation of remains, and for preparation of an archaeological report.

Reason: To ensure that archaeological remains within the application site are properly identified, and protected or appropriately recorded.

30. Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Department for Communities - Historic Environment Division to observe the operations and to monitor the implementation of archaeological requirements.

Reason: To monitor programmed works in order to ensure that identification, evaluation and appropriate recording of any archaeological remains, or any other specific work required by condition, or agreement is satisfactorily completed.

31. No part of the development shall become operational until full details of all proposed tree and shrub planting and a programme of works, have been submitted to and approved by the Planning Authority in writing, and all tree and shrub planting shall be carried out in accordance with those details.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

32. Prior to the commencement of Construction Phases 4-5 (as detailed in the Construction Programme in Section 2 of the FEI 2 Submission dated April



2018), full details of the proposed replacement planting in the Blythefield Park area, including all trackside trees which were removed, shall be submitted and approved by the Planning Authority in writing. The planting in this area shall be carried out during the first available planting season following the completion of works to the adjoining railway lines.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape and to restore habitat.

33. All hard and soft landscape works shall be carried out in general accordance with the appropriate British Standard or other recognised Codes of Practice. With the exception of the planting in the Blythefield Park area, the remaining works shall be carried out during the first available planting season following full operation of the development.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

34. If within a period of 5 years from the date of the planting of any tree, shrub, hedge, climber or ornamental grass, the aforementioned is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Planning Authority, seriously damaged or defective, another tree, shrub, hedge climber or ornamental grass of the same species and size as that originally planted shall be planted at the same place.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

35. No retained tree shall be cut down, uprooted or destroyed, or have its roots damaged within the root protection area in accordance with best practice guidance as recommended in BS5837: 2012 'Trees in Relation to Design Demolition and Construction' nor shall arboricultural or tree surgery take place or any retained tree be topped or lopped other than in accordance with the approved plans and particulars without the written approval of the Planning Authority. Any arboricultural work or tree surgery approved shall be carried out in accordance with British Standard 3998: 2010 'Tree Work Recommendations'.

Reason: To ensure the continuity of amenity afforded by existing trees.

36. If any retained tree is removed, uprooted or destroyed or dies within 3 years from the date of completion of the development, another tree or trees shall be planted at the same place and that / those tree(s) shall be of such size and species and shall be planted at such time as may be specified by the Planning Authority.



Reason: To ensure the continuity of amenity afforded by existing trees.

Informatives

1. When making this decision the Department has taken into consideration environmental information within the terms of the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2015.
2. Reference to the 'Environmental Statement' relates to the Environmental Statement which was submitted in June 2017 and to the additional information received by the Department in October 2017, May 2018 and August 2018.
3. This approval does not apply to any signs or advertising material which the developer or occupier may wish to erect at the premises. Signs may require separate approval under the Planning (Control of Advertisements) Regulations (NI) 2015. Their size, construction, content and siting should be approved BEFORE any such signs are erected.
4. This permission does not alter or extinguish or otherwise effect any existing or valid right of way crossing, impinging or otherwise pertaining to these lands.
5. This permission does not confer title. It is the responsibility of the developer to ensure that they control all the lands necessary to carry out the proposed development.
6. The applicant is advised that the internal layout of the proposal should make adequate provision for the needs of people with disabilities.
7. The developer is required to enter into a licence agreement with the Department for Infrastructure, Roads for the carrying out of the road works approved, prior to the commencement of any works to the public road network. The licence agreement shall be issued through the Development Control Officer, Network Planning Section, DfI Roads, Eastern Division, Annexe 6, Castle Buildings, Stormont Estate, BT4 3SQ and the developer should allow up to three months for completion of the licence. Accordingly the developer is advised to make an early personal application for the issue of the licence. He should also initiate early discussions for the satisfactory programming of the road works with the Private Streets Engineer, telephone no. 028 90 526276 at Stormont.
8. Notwithstanding the terms and conditions of the Department's approval set out above, you are required under the Street Works (Northern Ireland) Order 1995 to be in possession of a Street Works Licence before any work is commenced which involves making any opening or placing of any apparatus in a street. The Street Works Licence is available on personal application to the Department for Infrastructure Roads Service Section Engineer whose



address is 148-158 Corporation Street, Belfast. BT1 3DH.

9. Under the terms of The Private Streets (Construction) (Amendment) Regulations (Northern Ireland) 2001, design for any Street Lighting schemes will require approval from Roads Service's Network Lighting, (Eastern Division, Annexe 7, Castle Buildings, Stormont Estate, BT4 3SQ). The Applicant is advised to contact Roads Network Lighting Section at an early stage. The Applicant/Developer is also responsible for the cost of supervision of all street works determined under the Private Streets Order (Northern Ireland) 1980.
Please advise the agent accordingly.
10. For any element of road works, a detailed Temporary Traffic Management Plan for any required / associated traffic management proposals shall be submitted to and agreed by DfI Roads in writing under Article 7 of The Road Traffic Regulation (NI) Order 1997.
11. It is the responsibility of the Developer to ensure that water does not flow from the site onto the public road (including verge or footway) and that existing road side drainage is preserved and does not allow water from the road to enter the site.
12. Precautions shall be taken to prevent the deposit of mud and other debris on the adjacent road by vehicles travelling to and from the construction site. Any mud, refuse, etc. deposited on the road as a result of the development, must be removed immediately by the operator/contractor.
13. All construction plant and materials should be stored within the curtilage of the site.
14. Separate approval must be received from DfI Roads in respect of detailed standards required for the construction of streets in accordance with The Private Streets (Construction) Regulations (Northern Ireland) 1994 and The Private Streets (Construction) (Amendment) Regulations (Northern Ireland) 2001.
15. The applicant must apply to the Department for the appropriate legislation applicable to the phase or stage of works to be carried out as detailed in the phasing plan. The applicant should contact DfI Roads Network Traffic, Eastern Division, Annexe 7, Castle Buildings, Stormont Estate, BT4 3SQ and the developer should allow up to eighteen months, subject to objections, for completion of the legislative process.
16. The development hereby permitted shall not be adopted until any highway structure or retaining wall or culvert requiring Technical Approval, as specified in the Roads (NI) Order 1993, has been approved and constructed in accordance with BD2 Technical Approval of Highways Structures : Volume 1:



Design Manual for Roads and Bridges.

17. The applicant is advised that the proposed commencement of Part III of the Waste and Contaminated Land (NI) Order 1997 may introduce retrospective environmental liabilities to the applicant following the development of this site. The comments provided by Belfast City Council are without prejudice to any future statutory control which may be required under Part III or any other future environmental legislation. Failure to provide a satisfactory Verification Report will lead to the assumption that the site still poses a risk to human health and it may be subject to further action under forthcoming legislation.
18. Clean Neighbourhood and Environment (Northern Ireland) Act 2011 - Artificial lighting should be optically controlled and directed in such a manner as to minimise light pollution from glare and spill. Guidance notes for the reduction of obtrusive light may be obtained from the Institution of Lighting Engineers, Lennox House, 9 Lawford Road, Rugby, Warwickshire CV21 2DZ, available at <http://www.britastro.org/dark-skies/pdfs/ile.pdf>.
19. The applicant is advised that they may be required to revisit the requirements under the Environmental Noise Regulations (NI) 2006/END in relation to noise mapping and Local Action Plans.
20. In order to reduce the impact of possible odours and noise generated by any proposed extraction and ventilation system, the applicant should consult relevant industry guidance, such as: 'Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems' published by DEFRA in January 2005. (DEFRA/NETCEN Guidance <http://www.defra.gov.uk/environment/noise/research/kitchenexhaust.pdf>)
21. The Smoking (NI) Order 2006 - The applicant is advised to consult with Belfast City Council's Tobacco Control Officer to ensure that the smoking area design is compliant with the regulations. The applicant is advised to ensure that any designated smoking area is suitably managed and controlled to prevent noise, litter, anti-social behaviour and loss of amenity to nearby premises
22. For guidance on the preparation of the Written Scheme and Programme of Archaeological Work, which should be submitted for approval at least 4 weeks before work is due to begin, contact: Historic Environment Division, Historic Monuments, Causeway Exchange, 1-7 Bedford Street, Belfast, BT2 7EG
Tel: 02890 823100
Quote reference: SM11/1 ANT 060:505 and LA04/2017/1388/F
23. Application for the excavation licence, required under the Historic Monuments and Archaeological Objects (NI) Order 1995, should be submitted at least 4 weeks before work is due to begin, by a qualified archaeologist responsible



for the project, to: Historic Environment Division – Historic Monuments Unit, Causeway Exchange, 1-7 Bedford Street, Belfast, BT2 7EG.

24. The applicant should be made aware that all construction or deposition works within tidal reaches of rivers are subject to licensing under the Marine and Coastal Access Act 2009. If any elements of the construction in this proposal involve works to the Lagan, Black staff or Farset rivers within their tidal limits, contact must be made with the Marine Strategy & Licensing Team, DAERA Marine & Fisheries Division, 1st Floor, Klondyke Building, Gasworks Business Park, Cromac Avenue, Belfast BT7 2JA, Tel: 028 90569247 to apply for a Marine Construction Licence.
25. As the aforementioned rivers are hydraulically connected to Belfast Harbour and Belfast Lough any works which may result in chemical contaminants, or increased sediment loading, entering the hydrological system must be detailed. Further consultation may be required with DAERA should such potential occurrences be identified. The applicant should be aware that it is an offence under the Marine and Coastal Access Act 2009 to carry out a licensable marine activity except in accordance with a marine licence granted by the DAERA Marine & Fisheries Division. Conviction of such an offence may incur a fine of up to £50,000 and/or two years imprisonment.
26. The applicant must refer and adhere to all the relevant precepts contained in DAERA Standing Advice on Vehicle Washing.
27. DAERA Water Management Unit notes the intension to divert two existing culverted watercourses. The construction of new culverts should be avoided unless no practicable alternative exists. Water Management Unit recommends that the applicant adheres to the advice detailed in DAERA Standing Advice Note on Culverting.
28. The applicant should refer to DAERA Standing Advice Note on Sustainable Drainage Systems for advice on the use of Sustainable Drainage Systems on contaminated land.
29. DAERA Water Management Unit notes the development includes the installation of an oil interceptor to prevent oil from on-site activities leaving the site. Water Management Unit recommends the installation an oil interceptor to prevent oil from the car park area leaving the site. The applicant should consult Pollution Prevention Guideline (PPG) 03 - Use and design of oil separators in surface water drainage systems, for further advice regarding the installation and maintenance of oil interceptors/separators which can be found at the link given below.
http://www.netregs.org.uk/library_of_topics/pollution_prevention_guides/all_ppgs.aspx
30. Discharge consent, issued under the Water (Northern Ireland) Order 1999, is required for any discharges to the aquatic environment and may be required



for site drainage during the construction phase of the development. Any proposed discharges not directly related to the construction of the development, such as from septic tanks or wash facilities, will also require separate discharge consent applications. The applicant should refer to DAERA Standing Advice Note on Discharges to the Water Environment.

31. Due to the close proximity of the site to various watercourses, care will need to be taken to ensure that polluting discharges do not occur during the works phase. The applicant should refer and adhere to the precepts contained in DAERA Standing Advice Note on Pollution Prevention Guidelines.
32. Should the development include excavation of any underground structures (tanks) and depending on the geological setting, the potential exists for the water table to be encountered during these works. The applicant should refer to DAERA Standing Advice Note on Abstraction and Impoundment.
33. In accordance with the Water Abstraction and Impoundment (Licensing) Regulations (Northern Ireland) 2006 (as amended), it is a mandatory requirement that upon the abstraction and/or diversion and/or impoundment of water from the natural river channel/lake, coastal or groundwater sources, an abstraction/impoundment licence should be obtained unless the operations specified are Permitted Controlled Activities.
34. The discharge of water from a dewatering operation will require consent to discharge, under the Water (Northern Ireland) Order 1999.
35. The applicant should be informed that it is an offence under the Water (Northern Ireland) Order 1999 to discharge or deposit, whether knowingly or otherwise, any poisonous, noxious or polluting matter so that it enters a waterway or water in any underground strata. Conviction of such an offence may incur a fine of up to £20,000 and / or three months imprisonment. The applicant should ensure that measures are in place to prevent pollution of surface or groundwater as a result of the activities on site, both during construction and thereafter.
36. The applicant should be made aware that it is an offence under section 47 of the Fisheries Act (Northern Ireland) 1966 to cause pollution which is subsequently shown to have a deleterious effect on fish stocks.
37. The purpose of the Conditions 21-22 and 24-26 is to ensure that any site risk assessment and remediation work is undertaken to a standard that enables safe development and end-use of the site such that it would not be determined as contaminated land under the forthcoming Contaminated Land legislation i.e. Part 3 of the Waste and Contaminated Land Order (NI) 1997. It remains the responsibility of the developer to undertake and demonstrate that the works have been effective in managing all risks.
38. The applicant should ensure that the management of all materials onto and



off this site are suitably authorised through the Waste Management Regulations (NI) 2006 and/or the Water Order (NI) 1999.

39. Regulation Unit within the Northern Ireland Environment Agency (NIEA) recommend that the applicant consult with the Water Management Unit within the NIEA regarding any potential dewatering that may be required during the redevelopment works including the need for discharge consent. Discharged waters should meet appropriate discharge consent Conditions.
40. Piling risk assessments should be undertaken in accordance with the methodology contained within the Environment Agency document on Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention” available at <https://webarchive.nationalarchives.gov.uk/20140329082415/http://cdn.environment-agency.gov.uk/scho0501bitt-e-e.pdf>
41. The following measures should be undertaken to minimise threats to breeding birds and maintain the availability of nest sites:
- Removal of any hedgerow vegetation or trees for access purposes and removal or infilling of natural features such as earth banks and ditches should be avoided.
 - Any unavoidable hedgerow or tree removal should be carried out outside of the bird breeding season, which runs from 1st March to 31st August. Where site clearance during this period cannot be avoided, a suitably qualified ornithologist must be appointed to undertake preclearance surveys for nesting sites. If there is a threat under Article 4 Part 2, construction activities must halt.
 - All works should remain within the access and construction footprint as shown on the original drawings.
42. NIEA Natural Environment Division support the mitigation and enhancement measures as detailed within the Breeding Bird Survey (AECOM, September 2015), Section 5.2. These should be implemented, where possible. The applicant should refer and adhere to the precepts contained in DAERA Standing Advice on Pollution Prevention Guidance, Sustainable Drainage Systems, Invasive Alien Species, Discharges to the Water Environment and Culverting. Standing advice notes are available at: <https://www.daera-ni.gov.uk/articles/standing-advice-0>
43. The applicant's attention is drawn to The Conservation (Natural Habitats, etc) Regulations (Northern Ireland) 1995 (as amended), under which it is an offence:
- a) Deliberately to capture, injure or kill a wild animal of a European protected species, which includes all species of bat;
 - b) Deliberately to disturb such an animal while it is occupying a structure or place which it uses for shelter or protection;
 - c) Deliberately to disturb such an animal in such a way as to be likely to;



- (i) affect the local distribution or abundance of the species to which it belongs;
 - (ii) Impair its ability to survive, breed or reproduce, or rear or care for its young; or
 - (iii) Impair its ability to hibernate or migrate;
 - d) Deliberately to obstruct access to a breeding site or resting place of such an animal; or
 - e) To damage or destroy a breeding site or resting place of such an animal.
- If there is evidence of bat activity / roosts on the site, all works should cease immediately and further advice sought from the Wildlife Inspector's Team, Northern Ireland Environment Agency, Klondyke Building, Cromac Avenue, Gasworks Business Park, Belfast BT72JA. Tel. 028 90569605.
44. The applicant's attention is drawn to Article 4 of the Wildlife (Northern Ireland) Order 1985 (as amended) under which it is an offence to intentionally or recklessly:
- kill, injure or take any wild bird; or
 - take, damage or destroy the nest of any wild bird while that nest is in use or being built; or
 - at any other time take, damage or destroy the nest of any wild bird included in Schedule A1; or
 - obstruct or prevent any wild bird from using its nest; or
 - take or destroy an egg of any wild bird; or
 - disturb any wild bird while it is building a nest or is in, on or near a nest containing eggs or young; or
 - disturb dependent young of such a bird.
- Any person who knowingly causes or permits to be done an act which is made unlawful by any of these provisions shall also be guilty of an offence. It is therefore advised that any tree, hedge loss or vegetation clearance should be kept to a minimum and removal should not be carried out during the bird breeding season including 1st March to 31st August, unless pre-clearance surveys show an absence of breeding birds.
45. The applicant's attention is drawn to Article 15 of the Wildlife (Northern Ireland) Order 1985 (as amended) under which it is an offence for any person to plant or otherwise cause to grow in the wild any plant which is included in Part II of Schedule 9 of the Order, which includes Japanese knotweed & Himalayan balsam. Any soil, containing Japanese knotweed & Himalayan balsam plant or seed material, which is removed off site, is classified as controlled waste under the Controlled Waste Regulations (Northern Ireland) 2002. The Controlled Waste (Duty of Care) Regulations (Northern Ireland) 2002 places a duty of care on 'anyone who produces, imports, stores, transports, treats, recycles or disposes of waste to take the necessary steps to keep it safe and to prevent it from causing harm, especially to the environment or to human health'. In the case of Japanese knotweed & Himalayan balsam it is the duty of the waste producer to inform the licensed waste carrier and licensed landfill site that the controlled waste material contains Japanese knotweed & Himalayan balsam as part of the waste transfer process.



Please see the following link for Best Practice Guidance:
<http://invasivespeciesireland.com/toolkit/>

Further advice can be sought from the Wildlife Inspector's Team, Northern Ireland Environment Agency, Klondyke Building, Cromac Avenue, Gasworks Business Park, Belfast BT7 2JA. Tel: 028905 69605

46. DfI Rivers has reviewed "Annex E - Flood Risk Assessment and Drainage Assessment - Approval 3 - 11th October 2017" & "Flood Risk Assessment and Drainage Assessment [for Phase 2 Completed Culvert Diversions] - Approval 2 - 11th October 2017" and, while not being responsible for its preparation, accepts its logic and has no reason to disagree with the conclusions from a flood risk perspective. The responsibility for the accuracy of the report and acceptance of the appropriate flood risk rests with the client and their professional advisors.
47. DfI Rivers note that, under the 1973 Drainage (NI) Order, the applicant has applied for and, in a letter dated 1st September 2017, has been given consent by the Department to carry out the associated watercourse diversionary works and has been given consent to discharge storm-water at a rate of 1051 litres/sec.
48. Developers should acquaint themselves of their statutory obligations in respect of watercourses as prescribed in the Drainage (Northern Ireland) Order 1973, and consult the Rivers Agency of the Department of Agriculture accordingly on any related matters.
49. Any proposals in connection with the development, either temporary or permanent which involve interference with any watercourse at the site:- such as diversion, culverting, bridging; or placing any form of structure in any watercourse, require the written consent of the Rivers Agency. Failure to obtain such consent prior to carrying out such proposals is an offence under the Drainage Order which may lead to prosecution or statutory action as provided for.
50. Any proposals in connection with the development, either temporary or permanent which involve additional discharge of storm water to any watercourse require the written consent of the Rivers Agency. Failure to obtain such consent prior to permitting such discharge is an offence under the Drainage Order which may lead to prosecution or statutory action as provided for.
51. If, during the course of developing the site, the developer uncovers a watercourse not previously evident, they should advise the local Rivers Agency office immediately in order that arrangements may be made for investigation and direction in respect of any necessary measures required to deal with the watercourse.

Dated: 29th March 2019

Authorised Officer 

Application No. LA04/2017/1388/F

LA12





27 April 2026

John Walsh
Chief Executive
Belfast City Council
Belfast City Hall
Belfast
BT1 5GS
WalshJohn@belfastcity.gov.uk

Dear Mr Walsh

SPD/2023/0991/F

Location: Lands to the east of the Westlink (A12); lands south of (Nos.127-9) and including Grosvenor Road; lands at intersection of Grosvenor Road and Stanley Street; lands at the intersection of Durham Street and Grosvenor Road; lands at the intersection of Fisherwick Place and Howard Street; lands at Great Victoria Street (between Nos. 1-3 to 27-45); lands at Glengall Street (between Nos. 3-21); lands at the junction of Hope Street, Bruce Street and Great Victoria Street; lands at the junction of Durham Street, Linfield Road, Sandy Row and Hope Street; lands at Sandy Row from 2 Hurst Park to 85-87 Sandy Row, Gilpin's Site; lands to north of Former Whitehall Tobacco Works at Linfield Road, Weavers Court Business Park/ Linfield Industrial Estate, Blythefield Primary School and Charter Youth Club; lands at Weavers Court Business Park and Railway track lands surrounding Arellian Nursery and bounded by Utility Street/Bentham Drive/Egmont Gardens/ Felt Street (to north); Prince Andrew Park & Abingdon Drive (to south); Beit Street, Roosevelt Rise, Roosevelt Square & Inverna Close (to west); Donegall Road (to south and east); lands to south of Utility Street, north of railway line and west of Donegall Road; and BMXTrack/Open space at lands to south of Westlink, west of railway line and east of Inverna Close, Belfast.

Proposal: Application under section 54 [of the Planning Act (NI) 2011] to remove Condition 5 (restricting the number of daily Belfast to Dublin train services) on planning permission Ref: LA04/2017/1388/F for a New Integrated Public Transport Interchange (the Belfast Transport Hub)

I refer to the above planning application and enclose a copy of the Department's Notice of Opinion in connection with this application.

The Department must receive any request in writing for an opportunity for the Council to appear before and be heard by the Planning Appeals Commission, or a person appointed by the Department for the purposes of a hearing.

Any request must be made within 42 days from the date of this Notice.

Yours sincerely



Principal Planning Officer
Regional Planning Policy & Casework

cc. Kate Bentley, Belfast City Council
Ed Baker, Belfast City Council

NOTICE OF OPINION

The Planning (General Development Procedure) Order (Northern Ireland) 2015

Application Ref: SPD/2023/0991/F

Date of Application: 23 November 2023

Site of Proposed Development: Lands to the east of the Westlink (A12); lands south of (Nos.127-9) and including Grosvenor Road; lands at intersection of Grosvenor Road and Stanley Street; lands at the intersection of Durham Street and Grosvenor Road; lands at the intersection of Fisherwick Place and Howard Street; lands at Great Victoria Street (between Nos. 1-3 to 27-45); lands at Glengall Street (between Nos. 3-21); lands at the junction of Hope Street, Bruce Street and Great Victoria Street; lands at the junction of Durham Street, Linfield Road, Sandy Row and Hope Street; lands at Sandy Row from 2 Hurst Park to 85-87 Sandy Row, Gilpin's Site; lands to north of Former Whitehall Tobacco Works at Linfield Road, Weavers Court Business Park/ Linfield Industrial Estate, Blythefield Primary School and Charter Youth Club; lands at Weavers Court Business Park and Railway track lands surrounding Arellian Nursery and bounded by Utility Street/Bentham Drive/Egmot Gardens/ Felt Street (to north); Prince Andrew Park & Abingdon Drive (to south); Beit Street, Roosevelt Rise, Roosevelt Square & Inverna Close (to west); Donegall Road (to south and east); lands to south of Utility Street, north of railway line and west of Donegall Road; and BMXTrack/Open space at lands to south of Westlink, west of railway line and east of Inverna Close, Belfast.

Description of Proposal: Application under section 54 [of the Planning Act (NI) 2011] to remove Condition 5 (restricting the number of daily Belfast to Dublin train services) on planning permission Ref: LA04/2017/1388/F for a New Integrated Public Transport Interchange (the Belfast Transport Hub)

Applicant: NITHCO
22 Great Victoria Street
Belfast
BT2 7LX

Agent: Juno Planning and Environmental
409 Lisburn Road
Belfast
BT9 7EW

Drawings Nos of Planning Permission LA04/2017/1388/F: 01 Rev B, 02-08, 09 Rev B, 10-41 Rev A, 42-45, 46-58 Rev B, 59-60 Rev A, 61 Rev B, 62-65 Rev A, 66 Rev B, 67-74 Rev A, 76, 78-81 Rev B, 82 Rev A, 83-88 Rev B, 89 Rev A, 90-96 Rev B, 97, 98-100 Rev B, 101, 102, 103 Rev A, 104 Rev A, 105, 106-108 Rev A, 109-115, 116 Rev A, 117, 118 Rev A, 119 Rev B, 120 Rev B, 121-123 Rev A, 124-126, 127-136 Rev A, 138-143

In pursuance of its powers under Article 21(2) of the above-mentioned Order the

Department for Infrastructure HEREBY GIVES NOTICE that planning permission for the above-mentioned development in accordance with your application SHOULD IN ITS OPINION BE GRANTED subject to compliance with the following conditions which are imposed for the reasons stated:

1. Within 6 months of completion of demobilisation of the site within Phase 6 (as detailed in the Construction Programme in Section 2 of the Further Environmental Information (FEI) 2 Submission dated April 2018) or within 12 months of the date of this permission, whichever occurs first, The Square and all public realm works shall be fully implemented in accordance with the approved details.

Reason: To ensure the public realm works are carried out.

2. The buildings for a temporary bus wash, refuel facility and a temporary staff mess and training facility hereby permitted, shall be removed and the land restored in accordance with the approved details, within 5 weeks of the date of occupation of the permanent facilities.

Reason: In the interests of the amenity of the area.

3. The development hereby permitted, will be undertaken in line with the agreed Construction Phase Sustainable Travel Plan. Prior to commencement of construction of each phase or part of phase of the development (as detailed in the Construction Programme in Section 2 of the Further Environmental Information (FEI) 2 Submission dated April 2018), an updated Construction Phase Sustainable Travel Plan shall be submitted to and agreed in writing by the Planning Authority. The Construction Phase Sustainable Travel Plan shall also be reviewed on a 6-monthly basis. The development shall proceed in accordance with the most recently agreed plan.

Reason: To facilitate the convenient movement of all road users and the orderly progress of work in the interests of road safety.

4. The traffic mitigation measures approved under SPD/2024/0066/DC shall be fully maintained throughout the construction process.

Reason: To facilitate the convenient movement of all road users and the orderly progress of work in the interests of road safety.

5. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.

The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing Nos. C0423-ARP-XX-DR-CH-0029 P04, ARP-XX-DR-CH-0030 P04, ARP-XX-DR-CH-0031 P04, ARP-XX-DR-CH-0032 P04, ARP-XX-DR-CH-0033 P04, ARP-XX-DR-CH-0034 P04, ARP-XX-DR-CH-0035 P06, C0423-ARP-XX-DR-CH-0041 P05, C0423-ARP-XX-DR-CH-0042 P05, C0423-ARP-XX-DR-CH-0043 P03, C0423-ARP-XX-DR-CH-0044 P05, C0423-ARP-XX-DR-CH-0046 P03 and C0423-ARP-XX-DR-CH-0047 P03, received by the Department on 12 March 2026.

The Department hereby attaches to the determination a requirement under Article 3(4A) of the above Order that such works shall be carried out in accordance with an agreement under Article 3 (4C).

Reason: To ensure there is a safe and convenient road system within the development and to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.

6. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.

Prior to the completion of the development and completion of demobilisation of the site within Phase 6 (as detailed in the Construction Programme in Section 2 of the Further Environmental Information (FEI) 2 Submission dated April 2018) or within 12 months of the date of this permission, whichever occurs first, the works necessary for the improvement of a public road shall be completed in accordance with the details outlined blue on Drawing Nos. C0423-ARP-XX-DR-CH-0029 P04, ARP-XX-DR-CH-0030 P04, ARP-XX-DR-CH-0031 P04, ARP-XX-DR-CH-0032 P04, ARP-XX-DR-CH-0033 P04, ARP-XX-DR-CH-0034 P04, ARP-XX-DR-CH-0035 P06, C0423-ARP-XX-DR-CH-0041 P05, C0423-ARP-XX-DR-CH-0042 P05, C0423-ARP-XX-DR-CH-0043 P03, C0423-ARP-XX-DR-CH-0044 P05, C0423-ARP-XX-DR-CH-0046 P03 and C0423-ARP-XX-DR-CH-0047 P03, received by the Department on 12 March 2026.

The Department hereby attaches to the determination a requirement under Article 3(4A) of the above Order that such works shall be carried out in accordance with an agreement under Article 3 (4C).

Reason: To ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the development are carried out.

7. The development hereby permitted (excluding any temporary facilities) shall operate in accordance with the Travel Plan approved in writing by the Department under SPD/2024/0078/DC or any subsequent Travel Plan submitted and agreed in writing by the Planning Authority.

Reason: To facilitate access to the site by means other than the private car and the servicing of the site in the interests of road safety and traffic progression.

8. Prior to the completion of the development and completion of demobilisation of the site within Phase 6 (as detailed in the Construction Programme in Section 2 of the Further Environmental Information (FEI) 2 Submission dated April 2018) or within 12 months of the date of this permission, whichever occurs first, 200 cycle parking stands and an Active Travel Centre shall be provided and thereafter retained.

Reason: To facilitate access to the site by means other than the private car and the servicing of the site in the interests of road safety and traffic progression.

9. Prior to the completion of the development and completion of demobilisation of the site within Phase 6 (as detailed in the Construction Programme in Section 2 of the Further Environmental Information (FEI) 2 Submission dated April 2018) or within 12 months of the date of this permission, whichever occurs first, 223 car parking spaces shall be provided as detailed in Table 2 of the Environmental Statement, Volume 1, Chapter 15. The interim Parking Strategy (received on 12 December 2024 and dated 10 December 2024 under application SPD/2024/0078/DC) shall remain in place until the required parking spaces have been provided.

Reason: To ensure the provision of adequate parking facilities in the interests of road safety and the convenience of road users

10. An Air Quality monitoring survey shall be conducted within the concourse area adjacent to the Grosvenor Road entrance to the station within 3 months of opening in accordance with the government's Local Air Quality Management Technical Guidance LAQM.TG(22) for the period of one year in order to demonstrate compliance with the hourly mean limit value for NO₂ concentrations. On completion of the air quality monitoring survey, the air quality monitoring results shall be submitted to the Planning Authority within one month for review, and the results or a period of further monitoring must be approved in writing with the Planning Authority. Any further monitoring shall be implemented as agreed. In the event that the monitored NO₂ levels exceeds the 1-hour limit value, the applicant shall submit a mitigation plan to the Planning Authority in order to reduce NO₂ levels below the limit value. This Plan must be agreed in writing with the Planning Authority and implemented as agreed.

Reason: Protection of human health

11. Prior to commencement of each phase or part of phase of the construction/demolition process (as detailed in the Construction Programme in Section 2 of the Further Environmental Information (FEI) 2 Submission dated April 2018), and in accordance with Appendix A/A3 of Belfast Transport Hub, Environmental Statement, Vol II, dated June 2017, the applicant shall submit a Dust Management Plan in accordance with IAQM guidance to the Planning Authority for review. The Plan must be agreed in writing by the Planning Authority and shall be implemented as agreed.

Reason: Protection of human health

12. The odour abatement technology employed to suppress and disperse cooking odours from the staff canteen and the Enterprise food preparation area kitchen installed in accordance with the design recommendations contained within Chapter 9 - Air Quality Vol I - Sections 8.5.45-8.5.51 of the Environmental Statement, dated June 2017 shall be permanently retained and the extraction and ventilation system shall be cleaned and maintained in accordance with the manufacturer's instructions.

Reason: In the interests of amenity

13. Prior to commencement of each phase or part of phase of construction/demolition activity (as detailed in the Construction Programme in Section 2 of the Further Environmental Information (FEI) 2 Submission dated April 2018) and in accordance with the submitted Environmental Statement, dated June 2017, Chapter 9, Mitigation Measures, Section 9.6.6 and Appendix A/A4 of Belfast Transport Hub, Environmental Statement, Vol II, dated June 2017 and FEI documentation, the applicant shall submit a Construction Noise Management Plan (CNMP) to the Planning Authority for review and written agreement. Each CNMP should outline the methods to be employed to minimise any noise and vibration impact in accordance with current guidance and include a detailed programme for the demolition/construction phase, the proposed noise and vibration monitoring methods, noise mitigation methods and community liaison. The Plan shall be implemented as agreed.

Reason: In the interest of residential amenity

14. The Rating Level (dB L_Ar) from all combined plant and equipment shall be maintained at the level approved under LA04/2022/0827/DC (or lower).

Reason: In the interest of residential amenity

15. Prior to commencement of any phase or part of phase of the development (as detailed in the Construction Programme in Section 2 of the Further Environmental Information (FEI) 2 Submission dated April 2018) and in accordance with the Environmental Statement, dated June 2017, Section 10.6 *Mitigation*, (Section 10.6.6), a Contaminated Land Remediation Strategy and Remediation Implementation and Verification Plan (RIVP) shall be submitted to the Planning Authority for review and agreement in writing.

The Remediation Strategy must outline the measures to be undertaken to ensure that the identified pollutant linkages are demonstrably broken and no longer pose a potential risk to human health. In particular, the Strategy shall detail the:

- proposed gas protection measures to be installed throughout all buildings of the development in line with BS 8485:2015 as informed by the monitoring results contained within Appendix E6 and additional gas monitoring at specific gas installations as specified in 10.6.16 of Chapter 10 and Appendix E E6.7.
- proposed capping system to be installed within all landscaped areas
- decommissioning of underground tanks and associated pipework in accordance with Pollution Prevention Guidelines (PPG 27)
- method of removal of contaminated soils associated with the historical underground tanks

Reason: Protection of human health

16. No phase or part of phase of the development (as detailed in the Construction Programme in Section 2 of the Further Environmental Information (FEI) 2 Submission dated April 2018) shall commence until the Planning Authority has received a groundwater and surface water monitoring plan for the development to include:

- specified sampling points,
- substances to be monitored including petroleum hydrocarbon fractions in solution,
- detection limits for laboratory analyses,
- water level monitoring to metres above datum (local or ordnance).

These works are required to ensure the necessary monitoring is in place to anticipate any potential discharges to the water environment. The monitoring schedule shall include all development works and post development rebound of groundwater levels. The monitoring plan shall be implemented throughout the remediation phase and the results submitted for agreement to the Planning Authority in writing as part of the Verification Report.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

17. Prior to the completion of the development and completion of demobilisation of the site within Phase 6 (as detailed in the Construction Programme in Section 2 of the Further Environmental Information (FEI) 2 Submission dated April 2018) or within 12 months of the date of this permission, whichever occurs first, the applicant shall provide to the Planning Authority, for agreement in writing, a Contaminated Land Verification Report. This report must demonstrate that the remediation measures outlined in the agreed contaminated land Remediation Strategy have been implemented.

The Verification Report shall demonstrate that the final identified contaminant linkages have been demonstrably broken during the construction works of Phases 4-6 and ultimately confirm that all remediation works have been completed through the overall development (and therefore that all the identified contaminant linkages have been broken) and that the site is now fit for the proposed end-use. The Verification Report

should be in accordance with current best practice and guidance as outlined by the Environment Agency.

Reason: Protection of human health, to protect the European Sites in Belfast Lough from adverse impacts during the construction phase and to protect environmental receptors to ensure the site is suitable for use.

18. A final Construction Environmental Management Plan (CEMP) for each construction phase or part of phase (as detailed in the Construction Programme in Section 2 of the Further Environmental Information (FEI) 2 Submission dated April 2018) shall be submitted to and agreed in writing with the Planning Authority prior to any works commencing on that phase or part of phase. This Plan shall reflect all the mitigation, and avoidance measures to be employed as outlined in the Environmental Statement (ES Vol I, June 2017), Outline Construction Environmental Management Plan (ES Vol II, Appendix A1, 13th June 2017), Water Environment (ES Vol II, Appendix H, 9th June 2017), Invasive Species Management Plan (ES Vol II, Appendix A1, 13th June 2017) and all additional submitted information. The agreed CEMP shall be adhered to and implemented throughout that phase or part of phase of construction strictly in accordance with the approved details.

Reason: To protect the European Sites in Belfast Lough from adverse impacts during the construction phase.

19. If during the development works, new contamination or risks to the water environment are encountered which have not previously been identified, works shall cease and the Planning Authority shall be notified immediately. This new contamination shall be fully investigated in accordance with the Model Procedures for the Management of Land Contamination (CLR11). In the event of unacceptable risks being identified, a remediation strategy shall be agreed with the Planning Authority in writing and subsequently implemented and verified to its satisfaction.

Reason: To protect the European Sites in Belfast Lough from adverse impacts during the construction phase and to protect environmental receptors to ensure the site is suitable for use.

20. Prior to the completion of the development and completion of demobilisation of the site within Phase 6 (as detailed in the Construction Programme in Section 2 of the Further Environmental Information (FEI) 2 Submission dated April 2018) or within 12 months of the date of this permission, whichever occurs first, the remediation measures as described in the Remediation Strategy and Remediation Options Appraisal Issue 01 (June 2017) shall be implemented to the satisfaction of the Planning Authority.

Reason: To protect the European Sites in Belfast Lough from adverse impacts during the construction phase and to protect environmental receptors to ensure the site is suitable for use.

21. No piling work shall commence on each phase or part of phase (as detailed in the Construction Programme in Section 2 of the Further Environmental Information (FEI) 2 Submission dated April 2018) until a piling risk assessment for that phase or part of phase has been submitted in writing and agreed with the Planning Authority. The piling risk assessments shall be undertaken in accordance with the methodology contained within the Environment Agency document on "Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention".

Reason: Protection of environmental receptors to ensure the site is suitable for use.

22. A suitable buffer of at least 10m shall be maintained between the location of refuelling, storage of oil/fuel, concrete mixing and washing areas, storage of machinery/material/spoil and the Blackstaff River and Pound Burn River which traverse the site.

Reason: Protection of environmental receptors to ensure the site is suitable for use.

23. A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under SPD/2024/0064/DC. These measures shall be implemented and a final archaeological report shall be submitted to the Planning Authority within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with the Planning Authority.

Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated and the excavation archive is prepared to a suitable standard for deposition.

24. Access shall be afforded to the site at all reasonable times to any archaeologist nominated by the Department for Communities – Historic Environment Division to observe the operations and to monitor the implementation of archaeological requirements.

Reason: To monitor programmed works in order to ensure that identification, evaluation and appropriate recording of any archaeological remains, or any other specific work required by condition, or agreement is satisfactorily completed.

25. Prior to the completion of the development and completion of demobilisation of the site within Phase 6 (as detailed in the Construction Programme in Section 2 of the Further Environmental Information (FEI) 2 Submission dated April 2018) or within 12 months of the date of this permission, whichever occurs first, full details of all proposed tree and shrub planting and a programme of works, shall be submitted to and agreed by the Planning Authority in writing, and all tree and shrub planting shall be carried out in accordance with those details.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

26. The planting in the Blythfield Park area approved under SPD/2024/0085/DC shall be carried out during the first available planting season following the completion of works to the adjoining railway lines.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape and to restore habitat.

27. All hard and soft landscape works shall be carried out in general accordance with the appropriate British Standard or other recognised Codes of Practice. With the exception of the planting in the Blythfield Park area, the remaining works shall be carried out during the first available planting season following full operation of the development.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

28. If within a period of 5 years from the date of the planting of any tree, shrub, hedge, climber or ornamental grass, the aforementioned is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Planning Authority, seriously damaged or defective, another tree, shrub, hedge climber or ornamental grass of the same species and size as that originally planted shall be planted at the same place.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

29. No retained tree shall be cut down, uprooted or destroyed, or have its roots damaged within the root protection area in accordance with best practice guidance as recommended in BS5837: 2012 'Trees in Relation to Design Demolition and Construction' nor shall arboricultural or tree surgery take place or any retained tree be topped or lopped other than in accordance with the approved plans and particulars without the written agreement of the Planning Authority. Any arboricultural work or tree surgery agreed shall be carried out in accordance with British Standard 3998: 2010 'Tree Work Recommendations'.

Reason: To ensure the continuity of amenity afforded by existing trees.

30. If any retained tree is removed, uprooted or destroyed or dies within 3 years from the date of completion of the development, another tree or trees shall be planted at the same place and that / those tree(s) shall be of such size and species and shall be planted at such time as may be specified by the Planning Authority.

Reason: To ensure the continuity of amenity afforded by existing trees.

Informatives

1. In respect of the above conditions, "demobilisation" is considered to be when all permanent construction works are completed and the following conditions are met.

Site Clearance:

- Removal of temporary structures (e.g. site offices, storage containers).
- Clearance of construction debris, unused materials, and waste.

Equipment Removal:

- Removal of all machinery and tools from the site.

Utilities and Services Shutdown:

- Disconnection of temporary power, water, sanitation, and communication services

2. The Further Environmental Information (FEI) 2 Submission dated April 2018 referred to in conditions is that submitted under planning permission LA04/2017/1388/F.
3. This permission relates to those drawings stamped approved under Planning Permission LA04/2017/1388/F.

Dated: 27 April 2026

Signed: _____



Authorised Officer

for
Regional Planning Policy & Casework Directorate

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Section 54 Planning Application

Development Management Report

Ref Number: SPD/2023/0991/F

Location: Lands to the east of the Westlink (A12); lands south of (Nos.127-9) and including Grosvenor Road; lands at intersection of Grosvenor Road and Stanley Street; lands at the intersection of Durham Street and Grosvenor Road; lands at the intersection of Fisherwick Place and Howard Street; lands at Great Victoria Street (between Nos. 1-3 to 27-45); lands at Glengall Street (between Nos. 3-21); lands at the junction of Hope Street, Bruce Street and Great Victoria Street; lands at the junction of Durham Street, Linfield Road, Sandy Row and Hope Street; lands at Sandy Row from 2 Hurst Park to 85-87 Sandy Row, Gilpin's Site; lands to north of Former Whitehall Tobacco Works at Linfield Road, Weavers Court Business Park/ Linfield Industrial Estate, Blythefield Primary School and Charter Youth Club; lands at Weavers Court Business Park and Railway track lands surrounding Arellian Nursery and bounded by Utility Street/Bentham Drive/Egmot Gardens/ Felt Street (to north); Prince Andrew Park & Abingdon Drive (to south); Beit Street, Roosevelt Rise, Roosevelt Square & Inverna Close (to west); Donegall Road (to south and east); lands to south of Utility Street, north of railway line and west of Donegall Road; and BMXTrack/Open space at lands to south of Westlink, west of railway line and east of Inverna Close, Belfast.

Proposal: Application under section 54 [of the Planning Act (NI) 2011] to remove Condition 5 (restricting the number of daily Belfast to Dublin train services) on planning permission Ref: LA04/2017/1388/F for a New Integrated Public Transport Interchange (the Belfast Transport Hub)

Applicant: Northern Ireland Transport Holding Company

1.0 THE PROPOSAL

- 1.1 This is an application under section 54 of the Planning Act (NI) 2011 (the Planning Act) to remove Condition 5 (restricting the number of daily Belfast to Dublin train services) on planning permission LA04/2017/1388/F for the Belfast transport hub proposal *“New integrated public transport interchange comprising; station concourse, 26 bus stands, 8 railway platforms, bus maintenance and parking, track and signalling enhancements, bus access bridge, cycle and taxi provision, car parking, new public square, public realm improvements, highway improvements, infrastructure improvements, temporary structures for bus operations during construction and temporary site construction compounds”*.

Condition 5 reads:

“There shall be no more than 8 daily Belfast to Dublin train services each way into the approved development (16 in total).

Reason: In the interest of residential amenity.”

This application was submitted on 27 November 2023. The transport hub subsequently became operational on 8 September 2024 and the *Enterprise* Service commenced its increased frequency on 29 October 2024. Section 55 of the Planning Act permits planning permission to be granted for development carried out before the date of the application, but this application was made before any increased service was commenced and it does not in any event seek any retrospective grant of permission or retention of works. It is therefore an application for prospective permission only although development from the date of the application to present is addressed below.

- 1.2 The applicant is the Northern Ireland Transport Holding Company (NITHCo). The transport hub proposal, although still under construction is open to the public and Translink have commenced an hourly train service between Belfast and Dublin. This was a stated objective in the original application however condition 5 was imposed on the permission as the Environmental Impact

Assessment submitted at that stage had not fully assessed any additional impacts of an hourly service.

2.0 SITE AND SURROUNDING AREA

- 2.1 The application site remains the same as the parent application and comprises the former Europa Bus Centre and former Great Victoria Street Station as well as adjoining land originally used for parking and servicing of buses and a former derelict area of land along Grosvenor Road. The main transport hub building and new rail tracks have now been constructed with work ongoing to complete the surrounding public realm, works to Durham Street, and car parking within the site.
- 2.2 The site is located southwest of the city centre and is bisected north to south by Durham Street and also accessed from Great Victoria Street via the Great Northern Mall. The section of the site to the east of Durham Street contains the former bus and railway station and the larger part of the site to the west of Durham Street contains the existing transport hub site with bus parking. Construction works are ongoing and the former Boyne Bridge has been demolished.
- 2.3 The Linfield Industrial Estate, office accommodation and other community uses lie to the south of the site, the A12 Westlink lies immediately to the west (connected to the site by a newly constructed busway bridge) and the Grosvenor Road bounds the site to the north. Surrounding areas contain a mix of land uses, predominantly industrial, car parking, commercial, education, community and residential uses.
- 2.4 The site also includes the existing rail tracks extending as far as Donegall Road along both sets of tracks and excluding the lands comprising the Blythefield Park, the allotments and Arellian nursery school which are surrounded by rail tracks. The site includes the former BMX track on the west side of the tracks (now cordoned off due to contamination discovered in this area) and a pedestrian bridge (formerly used to access this area from Bentham

Drive), as well as an area of green space and a path leading towards Donegall Road. The site also includes sections of the public road along Durham Street, Great Victoria Street, Hope Street, Glengall Street and Grosvenor Road and excludes the buildings in between and the BT building on the corner of Grosvenor Road and Durham Street.

3.0 PLANNING ASSESSMENT

3.1 A summary of consultee comments, representations and information on the process history of the application and planning history of the site can be found in the appendices. The application falls to be assessed under the relevant policy criteria and all relevant material considerations are considered below. As the proposal involves no alteration to the physical development on the ground, the relevant material considerations relate to the additional trains on the network if the condition were removed. The supporting information states “*The removal of this condition will not have any effect on the construction phase of the consented development or make any change to the structure or physical appearance of the consented buildings and infrastructure*”. Removal of the condition will enable Translink to deliver against an operational target of providing improved connectivity between Belfast and Dublin including greater frequency of services, aligned with the opening of the new station.

Regional Development Strategy (RDS) 2035 and Strategic Planning Policy Statement (SPPS)

3.2 The objective of the RDS Regional Guidance (RG) 2 is to deliver a balanced approach to transport infrastructure by improving connectivity, using road space and railways more efficiently and improving access to our cities and towns. RG 7 aims to support urban and rural renaissance by developing under-used land and buildings, ensuring environmental quality is improved and maintained. Strategic Framework Guidance (SFG) 1 seeks to promote urban economic development at key locations throughout the Belfast Metropolitan Urban Area (BMUA) and ensure sufficient land is available for jobs and SFG 3 aims to enhance the role of Belfast City Centre as the regional capital and focus of administration, commerce, specialised services and cultural amenities. SFG 4

seeks to manage the movement of people and goods within the BMUA by managing travel demand and improving public transport. The RDS states that a well maintained, high quality public transport will include innovative route and service options, rail feeder services, integrated transport facilities and orbital urban services. The RDS also states that as one of Northern Ireland's economic drivers, an efficient transport system in Belfast is essential to allow people and goods to move quickly around the city and to commute to and from it. High quality public transport for Belfast is therefore necessary for regional prosperity.

- 3.3 The regional strategic objectives for transportation and land use planning contained within the Strategic Planning Policy Statement (SPPS) are to promote sustainable patterns of development which reduce the need for motorised transport, encourages active travel, and facilitate travel by public transport in preference to the private car.
- 3.4 The Department's publication "Ensuring a Sustainable Transport Future: A New Approach to Regional Transportation" has as its first strategic objective "*to improve connectivity within the region*" and its second objective "*to use road and rail space more efficiently*" as part of the high level objective of supporting the growth of the economy. A new Transport Strategy 2035 is also under preparation with the visions to provide a sustainable, safe, accessible and effective transport system which meets the region's climate change requirements, serves the needs of urban and rural communities, and supports economic growth. The Department's Eastern Transport Plan 2035 is currently being developed in conjunction with the Council's Local Development Plan. Among its aims are to create an easy accessible, connected, inclusive active travel transport network for sustainable, modern day living and better, accessible options enhancing individual choice for all different modes of transport with an aim to reduce unnecessary use of private car and to promote better health and wellbeing by encouraging active travel and improving air quality. The Regional Strategic Transport Network Transport Plan (RSTNTP) 2015 published in 2005 is also due to be updated and an All-Ireland Rail Review was published in July 2024. The Transport hub was a former

Programme for Government (PfG) flagship project and the development aligns with the current PfG 2024-2027 through the Executive's commitments to improving transport infrastructure for safer travel, connected communities and sustainable economic growth, and to work with the Irish Government to develop the rail networks, including strengthening Belfast to Dublin rail services following publication of the All-Island Strategic Rail Review.

Development Plan Context

- 3.5 Under section 6(4) and section 45 of the Planning Act (NI) 2011, determinations must be made in accordance with the local development plan unless material considerations indicate otherwise. Belfast City Council adopted its **Plan Strategy (PS)**, containing strategic and operational policies for the district on 2 May 2023 in accordance with section 12 of the Planning Act and regulation 24 of the Planning (Local Development Plan) Regulations (Northern Ireland) 2015. The council has yet to adopt its **Local Policies Plan** which will provide zonings and proposals for the district.
- 3.6 In the interim, and in line with the transitional arrangements set out in Paragraph 3 of the Schedule to the 2015 Regulations, the LDP for the council area is thus a combination of the departmental development plan (DDP) and the PS read together. Any conflict between a policy contained in the DDP and those of the PS must be resolved in favour of the PS. Therefore, this application must be determined having regard to the PS, the Belfast Urban Area Plan 2001 as well as the SPPS and draft BMAP. Planning Policy Statements are no longer applicable in this council area.
- 3.7 The following policies in the PS are considered relevant to this proposal:
- *SP3 – Improving health and wellbeing* - states that the council will support development that maximises opportunities to improve health and wellbeing. It also states that improving connectivity between residential and employment areas which are well served by a range of sustainable travel modes, would encourage active lifestyles and reduce air pollution.

- *SP6 - Environmental resilience* - states that the council will support development where it helps to reduce greenhouse gas emissions and is adaptable in a changing climate to build environmental resilience.
- *SP7 – Connectivity* - states that the council will support connectivity to and within the city by sustainable transport modes, such as public transport, walking and cycling. Land for sustainable transport infrastructure projects will be safeguarded and opportunities to protect and enhance existing provision will be maximised.
- *SD2 Settlement Areas* - designates the Weavers Court Train/Bus interchange as a rail station. The PS states that this station is programmed to be replaced with a modernised transport hub during the lifetime of this plan and will serve a regional role, providing strong connectivity to locations outside of Belfast, including Dublin and the Republic of Ireland.
- *CC1 Development Opportunity Sites* - designates the Transport Hub and South Centre Linen Quarter as an area where mixed use development is supported subject to a number of principles.
- *TLC1 - Supporting tourism leisure and cultural development* - states that the council will support tourism leisure, and culture development that contributes to improving the quality, and accessibility of tourism, leisure, and culture facilities and assets to support Belfast's reputation as an attractive tourism destination.
- *ENV1 – Environmental quality* - states that planning permission will be granted for development that will maintain and, where possible, enhance environmental quality, and protects communities from materially harmful development. Development must not result in an unacceptable adverse impact on the environment, including air quality and noise.
- *ENV2 – Mitigating environmental change* states that planning permission will be granted for development that incorporates measures to mitigate environmental change and reduce GHG by promoting sustainable patterns of development.

- 3.8 Under the Belfast Urban Area Plan (BUAP) 2001, the site lies within the city centre boundary but outside the main office area and main shopping area. The site is affected by a proposed strategic highway measure “Boyne Bridge to Westlink Link” as part of the city centre strategy.
- 3.9 The Court of Appeal has judged that the Belfast Metropolitan Area Plan 2015 (BMAP) was adopted unlawfully however the plan remains a material consideration in respect of site-specific policies and proposals. The site lies within Belfast City Centre as designated under the draft Belfast Metropolitan Area Plan (dBMAP) 2015 and within the proposed *Main Office Area*. The PAC report recommended that this designation be removed and the city centre retained as the prime location for office development. The site was also proposed as a *Development Opportunity Site* within dBMAP with a number of key site requirements. The site falls within the proposed *Great Victoria Street Character Area* with the north western part of the site close to the junction of Grosvenor Road and the Westlink identified as a *City Centre Gateway*. The site is also identified as the location for an extended railway station which will facilitate public transport interchange replacing the existing Great Victoria Street Station and the Europa Bus Station as part of the redevelopment opportunities around Great Victoria Street and Grosvenor Road. The south western part of the site around Blythefield Park is designated as a proposed *Local Landscape Policy Area* and identified as existing open space. The site may also be affected by proposals to develop a City Centre ring road which would include modifications to Hope Street and junction improvements with Durham Street. The site also lies within the *Belfast City Centre Fringe Area of Parking Restraint*.
- 3.10 The road protection corridor for the rapid transit scheme [WWAY] ran through the site of the Belfast Transport Hub application as depicted on Plan Amendment No. 1 Clarification Map No. 33 of dBMAP. The PAC report into draft BMAP considered objections to Proposal BT 14/02 WWAY and recommended that the road protection corridor across Zoning CC055 (the Development Opportunity Site designation on the transport hub site) shown on Plan Amendment No. 1 – Map No. 33 be deleted and replaced by two access

points as shown on the plan accompanying an objector's statement of case for objection 3537/3. They also recommended that a further key site requirement be added to Zoning CC055, to read as follows: Provision for a rapid transit route through the site between the proposed access points as identified on a Plan such as would allow a grade separated crossing of the Westlink (A12). As draft BMAP was never formally adopted, the status of this designation remains uncertain and was never amended or finalised subsequent to the PAC recommendations. It is therefore afforded limited weight.

Noise and Vibration

- 3.11 Noise is a material consideration which can adversely affect health and well-being. The Noise Policy Statement for NI aims to avoid or mitigate significant adverse impacts on health and quality of life through the effective management and control of environmental, neighbour and neighbourhood noise. A noise impact assessment has been carried out to assess the impact of the development without condition 5.
- 3.12 Two scenarios have been presented in the ES Addendum, both incorporating an hourly *Enterprise* service between Belfast and Dublin with 2 services departing before 07:00 and one arriving after 23:00. **Scenario 1** uses existing train stock in the noise model (a maximum of 16 daytime and 2 nighttime movements with the existing stock *De Dietrich* locomotives and 14 movements day time movements with new *Diesel Multiple Units*). The agent has clarified that the 14 *De Dietrich* locomotives are the only trains of this fleet available and given the journey time and increased frequency of services, additional rolling stock is required to provide the extra services in the form of the NIR C3000 (diesel multiple units). It has been assumed that the night-time movements are undertaken by the *De Dietrich* locomotives, which is considered a reasonable worst case.
- 3.13 For **scenario 1**, noise levels during the day are predicted to increase by 0.1dB LAeq,16hr at Arellian Nursery compared with the consented scheme and by 0.5dB LAeq,16hr at Beit Street and 0.7dB LAeq,16hr at Donegall Avenue and 0.1dB LAeq,16hr at Holiday Inn. The noise impact remains the same or

improves at all other receptors. The agent has clarified that the scheme consented assumed that the *Enterprise* services would travel on the rail line between Belfast Transport Hub (BTH) and Lanyon Place. The move to services terminating at BTH means that the services have been modelled as such. For scenario 1 during nighttime hours, noise impact is predicted to increase by 0.1dB LAeq,8hr at Beit Street with all other receptors unaffected by the additional services. The agent submits that this is due to the small number of additional movements during this period.

3.14 The highest predicted negative impact of the development without condition 5 is 1.8dB at Donegall Avenue, with 0.7dB of that as a result of increasing the Enterprise to an hourly service and a 1.1dB increase from the hub development already approved. Any change under 2.9dB is described in the ES Addendum as negligible. The conclusion reached in the assessment is therefore that the removal of planning condition no.5 would not result in any new likely significant effects.

3.15 **Scenario 2** uses an upgraded train fleet from 2028 onwards. Future rolling stock is unknown at this time, however all new UK rolling stock is required to be compliant with the Department for Transport *National Technical Specification Notice (NTSN) Rolling Stock – Noise requirements*. The ES Addendum states that by procuring rolling stock which meets these requirements, the overall noise levels from Enterprise rail movements will reduce when new rolling stock is introduced, regardless of the actual trains procured. As no significant new noise effects have been identified for either scenario, the ES Addendum concludes that no additional mitigation is required. The applicant has also clarified that any increase in vibration will be negligible. Importantly, this also supports the position that from the introduction of the Enterprise hourly service and indeed at present, there is no additional impact arising from the increased train frequency.

3.16 Environmental Health (EH) requested clarification in relation to a number of points, e.g. related to the new timetable, why the modelling exercise was considered a worst case scenario, the potential for additional idling trains noise

impacts, more explanation on the exceedances and reductions in noise at various receptors, and consideration of potential vibration impacts. Following receipt of that information, EH have commented that clarifications provided in the submission have satisfied the queries raised in their previous consultation response and would advise that based on the information contained within the submission, which determine that no adverse noise impacts will result as a consequence of the Belfast/Dublin Enterprise Service increasing to 32 rail movements daily, EH would offer no objection to the Section 54 application for the removal of Planning Condition 5 from approval LA04/2017/1388/F.

- 3.17 Considering the assessment within the ES Addendum, the additional clarification provided by the applicant and the comments of EH, it is considered that the removal of condition 5 and the operation of an hourly service between the 2 cities will not result in any adverse impacts on the amenity of residential receptors as a result of noise and the proposal is therefore considered compliant with policy ENV1 in the LDP.

Air Quality

- 3.18 Air quality is a material consideration which can adversely affect health and well-being. The site lies partially located within the *M1/Westlink Air Quality Management Area (AQMA)* which is declared for levels of Nitrogen Dioxide (NO₂) and Particulate Matter (PM₁₀). The proposal to remove condition 5 has the potential to impact on air quality as a result of additional diesel trains on the network. The ES Addendum presents an air quality impact assessment for the original approved development and the development without condition 5 compared with a baseline future scenario without the development and outlines the likely air quality impacts from moving diesel trains and the increase in volumes of diesel trains. Pollutants relevant to the assessment include particulate matter (PM₁₀) and nitrogen dioxide (NO₂). The ES Addendum states that government guidance suggests the annual mean objective is more relevant than short term impacts when assessing the air quality impacts of moving locomotives.

3.19 With regard to moving diesel trains, an assessment of air quality impacts has been undertaken on 14 human receptors within 30m of the rail network. The sensitive receptors are existing residential receptors, a pre-school and allotments located near to the main rail network. In addition, a nearby school has also been included as a precautionary measure. These receptors have been selected to represent the worst-case exposure and potential impacts from the changes in rail emissions. Overall, the predicted concentrations at all modelled receptors were not predicted to exceed any of the relevant air quality objectives for NO₂ or PM₁₀ as a result of the change in *Enterprise* services. The highest predicted change in annual mean NO₂ was an increase of 0.6 at the Blythefield allotment from 17.5 µg/m³ to 18.1µg/m³ which is described as negligible (the 40µg/m³ is set as an objective in the *Air Quality Strategy* as an annual mean to protect human health).

3.20 The ES Addendum concludes that all changes in annual mean NO₂ concentrations between the development as approved and the development without condition 5 are predicted to be less than 1µg/m³, and less than 75% of the annual mean standard (40µg/m³) and that therefore, it is predicted that all receptors will experience negligible impacts due to changes in NO₂ concentrations. The hourly mean NO₂ concentrations at all receptors were also predicted to be well below 200µg/m³ (the hourly mean objective in the *Air Quality Strategy*). The magnitude of change was considered to be imperceptible, the impact negligible and the overall effect not significant.

3.21 All changes in annual mean PM₁₀ concentrations are predicted to be less than 0.11µg/m³, with overall predicted annual mean PM₁₀ concentrations of less than 15µg/m³ at all receptors (the annual mean standard is 40µg/m³). Therefore, it is predicted that all receptors will experience negligible impacts due to changes in PM₁₀ concentrations associated with the removal of planning condition no.5.

3.22 Following consideration of the information submitted, EH requested clarification in relation to the baseline opening year and the 2033 forward projection year, the risk of exceedance of short-term air quality objectives for stationary

locomotives, the derivation of 2033 background data, modelled rail services, the choice of average daily train movements as well as technical details concerning the atmospheric dispersion modelling. Following receipt of further clarification, EH commented that they were able to accept the overall conclusion in Section 6.5.2 of the ES Addendum that the predicted concentrations at all modelled receptors are not predicted to exceed any of the relevant air quality objectives for nitrogen dioxide (NO₂) or particulate matter (PM₁₀) and accordingly, they would not object on ambient air quality grounds to the granting of planning permission for the removal of condition 5.

3.23 The EH response to the clarification provided is summarised below;

- In respect of the assessment for short-term objectives for nitrogen dioxide and sulphur dioxide presented in the original ES, the applicant has clarified that no further assessment is required as the removal of condition 5 does not add any additional platform capacity. An ambient air quality monitoring programme is being developed for Grand Central Station to meet the requirements of planning condition 14, which will ensure that relevant short-term public exposure for nitrogen dioxide is understood and mitigated.
- The applicant has clarified that the air quality modelling has taken into account the alignment of the rail tracks in the vicinity of the Blythefield allotments, primary school, nursery and play area and that engine speeds were modelled at 25% capacity to account for slow moving locomotives approaching/departing the station around this area as idling is not anticipated.
- They have also clarified that the original modelled opening year of 2023 was not going to occur and so the future 2033 year was maintained for consistency with the 2017 ES. 2033 background data is not however presently provided by Defra and so 2030-year Defra background data was utilised for the 2033 scenario. Meteorological data for 2022 from Belfast was used in the 2022 scenario, which was the most recent available at the time of drafting, alongside Defra background data for that year.
- Enterprise trains were previously modelled as travelling from Belfast Central / Lanyon Place via the Belfast Transport Hub to Dublin, but for the future

scenario for 16 trains, *Enterprise* services will terminate at the Belfast Transport Hub and not travel on to Belfast Central/Lanyon Place.

- Local Air Quality Management Technical Guidance (TG22) advises that annual mean objectives should not normally apply to gardens of residential properties or at any other location where public exposure is expected to be short term (such as allotments). A predicted increase in 2033 (2030 background year) nitrogen dioxide annual mean concentrations of +0.5 mgm⁻³ at residential receptors R1 and R2, +0.4 mgm⁻³ at the Arellian Nursery and +0.1 mgm⁻³ at Blythefield Primary School are noted when compared to the 2022 ES scenario.
- All annual mean concentrations for the modelled receptors are predicted to be substantially less than the nitrogen dioxide annual mean objective during 2033 and would similarly be expected to be less than the annual mean objective when extrapolated to a Grand Central Station opening year of 2024.
- Belfast City Council will maintain its monitoring site in the vicinity of the Blythefield allotments and Arellian Nursery over coming years, and may install further monitoring where necessary, in order to assess nitrogen dioxide annual mean concentrations and to fulfil its statutory local air quality management responsibilities in accordance with the provisions of Part III Air Quality of The Environment (Northern Ireland) Order 2002.
- The modelled 2033 scenarios do not take account of the possibility of a future upgraded rail fleet, which the applicant has indicated would have cleaner engines and lower emissions.
- Rail movement data comprises average daily movements, as peak hour movement data was not available. It would have been preferable to employ actual train movement data in order to be reflective of peak periods but it is noted that the modelled hourly mean nitrogen dioxide concentrations are substantially less than the hourly mean objective.
- Particulate matter is not a relevant pollutant for railways (diesel and steam trains). Nevertheless, PM₁₀ concentrations at modelled receptor locations in the Blythefield area for 2033 are all predicted to be substantially less than the 40 mgm⁻³ annual mean objective, with a maximum predicted concentration uplift of +0.1 mgm⁻³ associated with the introduction of a 16 two-way

Enterprise service when compared to the 2022 scenario. Consideration of Defra published background data for 2024 would suggest that background concentrations of PM₁₀ in the Blythefield area would be marginally higher (~+0.3 mgm⁻³) during 2024.

3.24 As no new significant air quality effects are predicted, the ES Addendum states that no additional mitigation is required. Considering the assessment within the ES Addendum, the additional clarification provided by the applicant and the comments of EH, I consider that the removal of condition 5 and the introduction of an hourly service between the 2 cities will not result in any adverse impacts on the amenity of residential receptors as a result of emissions and impact on air quality and the proposal is compliant with policy ENV1 in the LDP. This supports the position that from the introduction of the Enterprise hourly service and indeed at present, there is no additional impact arising from the increased train frequency.

Amenity

3.25 In concluding that there are no adverse effects on air quality or noise, the corollary is that there will be no adverse effects on amenity as a result of the increased number of train services.

Other Environmental Issues

3.26 The ES Addendum assesses the topics of ecology and nature conservation, ground conditions, historic environment, townscape and visual impact, the water environment, socio-economic issues, transport, waste, climate change, and major accidents and disasters as well as cumulative effects for the potential for new likely significant effects from those reported within the original ES 2017 and FEIs. The conclusion is that the removal of planning condition no.5 would not result in any new likely significant effects or adverse impacts from those assessed and identified within the original ES 2017 and FEIs submitted under LA04/2017/1388F. I would concur with this assessment.

3.27 The proposal will enhance public transport provision, reducing transport by private car, and therefore increase the connectivity and accessibility of the city.

I therefore also consider the application to be compliant with policies SP 3, 6 & 7 and TLC 1 & ENV 2 of the PS.

Economic Benefits

3.28 The ES Addendum states that the rail network plays an important enabling role in driving economic growth and that improved public transport is key to increasing labour mobility thus increasing connectivity and therefore the efficiency and competitiveness of business. Public transport is also seen as a catalyst for regeneration through linking urban and rural areas and is important in profiling the region to external investors. The ES Addendum states there will be significant potential economic development benefits through the growth of the *Enterprise* service for commuting and the growth of local urban economies through enhanced tourism, leisure and shopping opportunities. The service will create increased travel opportunities for all members of society providing enhanced access to hospitals and medical centres, education and leisure facilities. Any delay or restriction to the BTH could result in the loss of €165m of EU funding and the loss of revenue to Translink over 30 years of circa £157m.

3.29 The Council are supportive of the proposal citing the growth in cross-border workers and how there is opportunity to improve growth in cross-border trade of services with improved transport links enabling such growth. The proposal aligns with the all-island rail review 2024 which identified that service frequencies and speeds between Belfast and Dublin are relatively low compared to similar infrastructure in other capital cities. In the Council's view improved intercity connectivity is essential to businesses and communities in Belfast, providing linkages to facilitate trade, investment, tourism, and labour mobility.

Operation of Hourly Service since 29 October 2024

3.30 This application is only for prospective planning permission for an hourly service going forward from the date of any permission. It has been the subject of an EIA process. As part of that process, the opinions of relevant consultees were sought, and indeed had already been obtained before the

commencement of the hourly service. The pertinent consultee in relation to the issues of noise, dust and vibration is the Environmental Health Department. The comments of the EHD were received on 16 October 2024 and gave no indication of any potential impact from the commencement of an hourly service.

- 3.31 The Department does not condone unauthorised development, whether by way of unauthorised construction works or breach of condition by reason of operations carried out, but it does have to consider the appropriate course of action in circumstances where a breach has taken place. It is not an offence to carry out development without planning permission or to fail to comply with any condition subject to which planning permission has been granted. There are a number of issues that are relevant in considering whether formal enforcement action is an appropriate remedy for a breach of planning control. These include matters such as whether the breach of planning control would be clearly contrary to planning policy or unacceptably affect public amenity, the extent of the breach, and the willingness to remedy the breach voluntarily. In determining whether it is necessary to take enforcement action, it is appropriate to consider whether it is expedient. Where a breach is causing significant harm to the environment or amenity, priority should be given to taking action.
- 3.32 There are a range of powers and means available for dealing with a breach of planning control and they can escalate in relation to the type of breach, the harm being caused and the urgency of any need to secure a remedy. One way to seek to remedy a breach of planning control is by way of submission of an application for the development in question. This will be required where there is a desire to retain development already carried out, for example where buildings have been altered or constructed in breach of planning control. Such an application has not been made in this case.
- 3.33 A relevant factor in considering whether to take enforcement action will be whether the development in question may be acceptable in principle. An application for the amendment of condition 5 was with the Department at the time the hourly service commenced and no consultee indicated that the amendment would be unacceptable.

3.34 At the time of that the hourly service was commenced, indeed, the Department, had sufficient information available to it to conclude that the breach, although uncondoned, was unlikely to result in any unacceptable adverse impacts. One of the objectives of enforcement action, to remedy any undesirable effects of unauthorised development including, where necessary, the cessation of unacceptable development would not have been fulfilled by enforcement action in this circumstance.

3.35 As previously noted, this application does not seek to, nor does it grant retrospective permission, and accordingly it does not purport to grant retrospective permission for EIA development. It is not a case in which the applicant has gained an unfair or improper advantage. Proper assessment and consideration of the environmental effects has not been circumvented. Translink is not being permitted to retain any unlawful development on the ground. However, even if this were an application for retrospective development, it is concluded that the criteria for granting such permission as outlined in the Department's published guidance Development Management Practice Note (DMPN) on Unauthorised EIA Development¹, namely that there are demonstrable exceptional circumstances that justify the grant; that it is clear that the developer has neither gained nor stands to gain any unfair advantage from their breach of planning control; that public, and other stakeholders, are provided equal opportunity to express their views on the application and its Environmental Statement as would be required of any EIA development; and that the Environmental Statement and the EIA is rigorously scoped to ensure its assessment is based on a reasonable estimation of the baseline environment that is likely to have existed on the site prior to the unauthorised EIA development having taking place, would have been met as outlined below.

3.36 This situation has arisen as a result of an anticipated grant of planning permission under s54 of the Planning Act. Translink have submitted that the commitment to support sustainable transport infrastructure and the introduction

¹ DMPN 9A, at paragraph 6.5 in particular.

of an improved frequency train service between Belfast and Dublin are Ministerial priorities and the Minister has made public statements linking the hourly service to benefits to the economy, public transport and cross border linkages. They further submit that the proposal also aligns with the Programme for Government and the targets within the Climate Change Act and that the environmental assessments and consultation responses received prior to the commencement of the service, confirmed there is no adverse environmental impact. The public and all statutory consultees were also given the opportunity to form and advance their views before the hourly Belfast to Dublin service commenced, and no adverse environmental impact is indicated or anticipated. None of these submissions are disputed by the Department and other sections of this report attest to these points.

3.37 The situation is that the developer has obtained a planning consent, constructed the development in large part, submitted a planning application to remove a condition, but commenced operations in breach of that planning condition before the planning application to remove the condition was determined. However, the correct environmental assessments were carried out and the relevant consultee indicated they were content in advance of operation of the hourly service. Approval of this proposal will not depart from anything envisaged in those assessments. This is not a case of a developer undertaking development without assessment and subsequently attempting to retrospectively justify that development as having not had or been capable of causing significant environmental effects. Indeed, in the present case the developer has established the baseline date, undertaken the assessments, before proceeding to commence the hourly service without receiving formal notification of permission being granted to remove the condition.

3.38 The ES & s54 Addendum received on 27 March 2024 is based on the original environmental baseline, i.e. the environmental baseline present before the hourly service was implemented. The proposal to remove condition 5 and operate an hourly service was assessed prior to it commencing against the consented scheme approved in March 2019 and the original baseline before the scheme was built.

Planning Conditions on a New Decision Notice

3.39 This section considers the conditions to be attached to a decision notice if approval for the application is forthcoming. DMPN Note 24 contains guidance on section 54 applications. Section 54 of the 2011 Act is a power that allows for an application to be made for planning permission for the development of land without complying with conditions subject to which a previous planning permission was granted. A section 54 application is submitted to and determined by the planning authority which granted the previous planning permission.

At DPMN 24, para 3.5 – *In considering an application made under section 54, the planning authority which granted the previous planning permission must consider only the “question of the conditions” subject to which planning permission should be granted (section 54(3)).*

This refers to all the conditions and not simply the condition which it is proposed not to be complied with.

At 3.13 – *Under section 54(3)(a) a planning authority has the power to grant planning permission subject to different conditions. The different (fresh) conditions are not limited to those proposed in a section 54 application².*

At 3.18 – *Under section 54(3) a planning authority can grant planning permission with conditions differing from those subject to which a previous permission was granted. However, it must be borne in mind that conditions should only be imposed on a planning permission where they meet the six legal tests for conditions: - necessary; relevant to planning; relevant to the development to be permitted; enforceable; precise; and reasonable in all other respects.*

At 3.19 – *A successful application under section 54 is a new or fresh grant of planning permission³. To assist with clarity, when issuing a fresh planning permission granted under section 54, it is advisable that all the conditions of the previous (original) planning permission to which the new planning permission is to be subject should be restated in the new permission, unless they have already been discharged, and not be left to a process of cross referencing with the previous (original) planning permission.*

² *R v Leicester City Council Ex p. Powergen UK plc* (2000) 80 P. & C.R. 176).

³ *Powergen UK plc v Leicester City Council* (2001) 81 P. & C.R. 5.

Considering the above guidance, it is unlikely that a condition which restricts the commencement or operation of development could be said to be enforceable or precise in circumstances where the development has already passed those stages.

3.40 There are several conditions on the decision notice granted 29 March 2019 ('Original decision') that required actions to be taken prior to either commencement of the development (or particular phase) or operation of the development. For 5 of these conditions, the actions required to discharge (confirm compliance) with them have not been completed. Additionally, the stage, prior to which the actions were required, has passed, i.e. the development has been operational since 8 September 2024.

3.41 On the presumption that approval is granted for the application, the Department is required to produce a decision notice. Accepted practice (Case law⁴ and 3.19 above) is that the conditions that have not been discharged are copied across to the new decision notice. Those conditions need to meet the legal tests⁵ and copying across a condition that restricts operation prior to an action, in circumstances where the development is already operational is unlikely to meet those legal tests. However, there is authority⁶ to support the amendment of those conditions to require that same action within a subsequent restricted period of time or at a specified time.

3.42 A fresh decision notice would require the rewording of 5 conditions to give effect to the status of the development and the nature of the present consent. These conditions are discussed below in light of the aforementioned legislation, case law and guidance.

⁴ *R (Reid) v Secretary of State for Transport, Local Government and the Regions* [2002] EWHC 2174.

⁵ DPMN 24, 3.18

⁶ Planning Act (NI) 2011.

Condition 10

10. The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.
No other development hereby permitted shall become operational until the works necessary for the improvement of a public road have been completed in accordance with the details outlined blue on Drawing Nos. 90 (Rev B) through 96 (Rev B) and 130 (Rev A) through 136 (Rev A) and 138 through 140 received by the Department on 02 May 2018. The Department hereby attaches to the determination a requirement under Article 3(4A) of the above Order that such works shall be carried out in accordance with an agreement under Article 3 (4C).

Reason: To ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the development are carried out.

3.43 Condition 10 restricted the operation of the development until such times as specified work for the improvement of a public road was completed. Details of that work are included in the prescribed drawings as referenced in the condition. The specified works were not completed in full prior to operation so the condition cannot be repeated on this permission. The condition could however be reworded to provide for a restricted period of time within which to complete the road works or for the road works to be completed at a particular stage in the construction process. Works to Durham Street are ongoing and are expected to be completed around the end of this year along with all construction works on Phases 4-6. It is therefore considered reasonable to tie the completion of the “works necessary for the improvement of a public road” to the demobilisation of the construction site which will be the last activity (of those listed under Phase 6) before construction workers leave the site. DfI Roads have confirmed they are content with this phrasing and with the timing for delivery of the road works.

3.44 Works to the public road are discussed in the original environmental statement and formed part of the development originally applied for. Should consent be forthcoming for removal of condition 5, it will not negate the requirement to implement these works but will give a longer period for those works to be carried out.

3.45 The reason for this condition was to ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the development are carried out. Roads officials have confirmed they are content with the interim arrangements for access to the hub building during completion of the road works. These arrangements have been discussed and approved under various related discharge of condition applications (SPD/2024/0066/DC, SPD/2024/0067/DC & SPD/2024/0078/DC).

3.46 The significant benefit envisaged by the road improvements has therefore not been provided during the period since September 2024 and potentially will not be provided for another period of months while construction works are completed. This situation has arisen from the need to transfer rail and bus services to the new hub building before the works to Durham Street are carried out. The works will however still be implemented (albeit later than originally envisaged).

Condition 13

13. The development hereby permitted (excluding any temporary facilities) shall not become operational until 223 car parking spaces have been provided as detailed in Table 2 of the Environmental Statement, Volume 1, Chapter 15 and as indicated on the approved drawings.

Reason: To ensure the provision of adequate parking facilities in the interests of road safety and the convenience of road users.

3.47 This condition restricted the development becoming operational until the provision of 223 car parking spaces. These car parking spaces were not in place when the development became operational on 8 September 2024 and will not be in place until the construction process is complete. The site layout has been amended by way of a Non-Material Change application⁷ (LA04/2024/1890/NMC) but with the overall number of parking spaces remaining unchanged. As with condition 10, condition 13 could be reworded to provide for a restricted period of time within which to provide the car parking spaces or for the spaces to be at a particular stage in the construction process.

⁷ S.67, Planning Act (NI) 2011

Works within the internal site are expected to be completed around the end of this year along with all construction works on Phases 4-6. It is therefore considered reasonable to tie the provision of the car parking spaces to the demobilisation of the construction site which will be the last activity (of those listed under Phase 6) before construction workers leave the site. DfI Roads have confirmed they are content with this phrasing and with the timing for delivery of the car parking.

3.48 The reason for this condition was to ensure the provision of adequate parking facilities in the interests of road safety and the convenience of road users at the point the development became operational. Its absence from the development is not permanent and Roads officials have confirmed they are content with the interim arrangements for car parking during completion of construction. These arrangements have been discussed and approved under a related discharge of condition application (SPD/2024/0078/DC).

3.49 This matter has arisen from the need to transfer operational rail and bus services to the new hub building before the car parking is provided as part of Phase 6. The works will however still be implemented albeit later than originally envisaged.

Condition 22

22. Prior to the operation of the development, the applicant shall provide to the Planning Authority, for approval in writing, a Contaminated Land Verification Report. This report must demonstrate that the remediation measures outlined in the agreed contaminated land Remediation Strategy have been implemented.

The Verification Report shall demonstrate the successful completion of remediation works and that the site is now fit for the proposed end-use. It must demonstrate that any identified significant pollutant linkages are effectively broken. The Verification Report should be in accordance with current best practice and guidance as outlined by the Environment Agency.

Reason: Protection of human health, to protect the European Sites in Belfast Lough from adverse impacts during the construction phase and to protect environmental receptors to ensure the site is suitable for use.

3.50 This condition required that prior to the operation of the development that a Contaminated Land Verification Report be approved. Separate Contaminated

Land Remediation Strategies and Remediation Implementation and Verification Plans have been submitted under Condition 20 and approved by the Department for the enabling works phase, Phases 1-3 and Phases 4-6. Under condition 22, a Verification Report has been submitted and approved for the enabling works phase and for Phases 1-3. Although the bulk of the remediation work was implemented before the station was operational and has been subsequently verified and approved by the Department, a further Verification Report will still be required for Phase 4-6. It is therefore considered reasonable to tie the submission of the report to the demobilisation of the construction site which will be the last activity (of those listed under Phase 6) before construction workers leave the site. NIEA & EH have confirmed they are content with this phrasing and with the timing for submission of the final Verification Report.

3.51 The purpose of the remediation was to protect human health and designated sites. The applicant would still be required to submit the final Verification Report, and it would still need to be approved. Given that what remains to be verified relates solely to capping of landscaping areas and those areas are not yet constructed, this approach is considered reasonable. EH were content with this phased approach to verification given that there is currently no public access to these landscaping areas. In their response to the Verification Report for Phases 1-3 (SPD/2024/0084/DC), they stated that a future submission is required demonstrating that the final identified contaminant linkages have been demonstrably broken during the construction works of Phases 4-6, and ultimately confirming that all remediation works have been completed through the overall development (and therefore that all the identified contaminant linkages have been broken). NIEA in their response to the Verification Report for Phases 1-3 (SPD/2024/0084/DC) stated that the main remedial works to protect environmental receptors were verified at the end of enabling works stage of the development and that verification works for Phases 1 to 3 mainly concern human health risks.

3.52 The implementation of remediation and subsequent verification relates to an identified significant environmental impact in the environmental statement. This situation has arisen from the need to transfer operational rail and bus services

to the new hub building before the final remediation is carried out as part of Phases 4-6. The terms of the condition require that the Verification Report must demonstrate successful completion of the remediation works and that the site is fit for the proposed end use. In the event that the Report was unable to demonstrate this, the applicant would have to carry out remediation and subsequent verification until such times as it was satisfactory. This requirement is enforceable through the provisions of the Planning Act (NI) 2011. The remediation will be implemented albeit later than originally envisaged.

Condition 25

25. The development hereby permitted shall not be occupied until the remediation measures as described in the Remediation Strategy and Remediation Options Appraisal Issue 01 (June 2017) have been implemented to the satisfaction of the Planning Authority. The Planning Authority shall be given 2 weeks written notification prior to the commencement of remediation work.

Reason: To protect the European Sites in Belfast Lough from adverse impacts during the construction phase and to protect environmental receptors to ensure the site is suitable for use.

3.53 Similar in nature to condition 22, this condition required that prior to the occupation of the development that prescribed remediation measures be implemented. The Planning Authority must be satisfied with these measures. There was no direct submission under this condition for the enabling works phase but there was a submission made by Translink under this condition to cover Phases 1-3. There is significant overlap with condition 22 and the Verification Report required under that condition. It is recommended that this condition is similarly rephrased to require the remediation measures to be fully implemented to the satisfaction of the Planning Authority prior to the completion of the development.

Condition 31

31. No part of the development shall become operational until full details of all proposed tree and shrub planting and a programme of works, have been submitted to and approved by the Planning Authority in writing, and all tree and shrub planting shall be carried out in accordance with those details.

Reason: To ensure the provision, establishment and maintenance of a high standard of landscape.

3.54 This condition required that before any part of the development became operational, specified planting details be approved and subsequently that these works be undertaken. In relation to the first part of the condition, the Plan has recently been submitted to the Department that aligns with the amended layout approved under an application for a non-material change approved by the Council. However several queries have been raised with the agent and remain to be resolved.

3.55 Works within the internal site are expected to be completed around the end of this year along with all construction works on Phases 4-6. It is therefore considered reasonable to tie the provision of the landscaping plan to the demobilisation of the construction site which will be the last activity (of those listed under Phase 6) before construction workers leave the site.

3.56 The provision of the planting is to ensure a high standard of landscape. However, condition 33 separately requires the implementation of the landscaping during the first available planting season following full operation of the development. The delay in submitting a suitable landscaping plan has arisen from the applicant's desire to amend the site layout and is considered acceptable as it will not jeopardise the timetable for implementation. The applicant is still required to submit the landscaping detail, albeit later than originally envisaged.

Conclusion on Conditions

3.57 Conditions attached to planning permissions serve a valuable purpose and are not intended to be optional. It is important that they are respected and that failure to comply with them is enforced rigorously so that their aims are not

circumvented. Conditions are not being set aside but are being redrafted with a different compliance period. 16 other conditions have been subject to minor amendments or amended to reflect the fact that partial discharges have been granted. 4 other conditions (not including condition 5) have been removed as they are no longer required or relevant and 10 remain unchanged (see attached Draft Notice of Opinion).

4.0 CONCLUSION

4.1 After fully assessing the development proposals and the consultation responses, and having regard to the relevant planning policy context, the statutory development plan and all other relevant material considerations, the following conclusions have been reached with regard to the impact of removal of condition 5 which is sought through this section 54 application;

- The reasoned conclusion on the environmental impact assessment is that there will be no significant environmental effects as a result of the proposal (see Appendix 5);
- The proposal accords with the policies with the Belfast Local Development Plan 2035 – Plan Strategy;
- The proposal will not result in any adverse impacts on the amenity of residential receptors as a result of emissions and impact on air quality;
- The proposal will not result in any adverse impacts on the amenity of residential receptors as a result of noise; and
- The proposal is expected to enhance public transport services between Belfast and Dublin and have positive impacts on the local economy.

4.2 It is therefore considered that the proposal should be **approved** subject to the conditions attached to the original planning permission (as amended as discussed above) and the removal of condition 5.

5.0 RECOMMENDATION

- 5.1 Article 21 of the Planning (General Development Procedure) Order (Northern Ireland) 2015 empowers the Department, for those applications made to it under Section 54 of the Planning Act (Northern Ireland) 2011, to request that the Planning Appeals Commission or other appointed person hold a public local inquiry for the purposes of considering representations on the application. The alternative is to serve on the applicant and the council, notice of the Department's intention to approve the application.
- 5.2 The key test for the Department in deciding the process route is whether a public local inquiry is necessary to provide a forum for presentation and consideration of issues arising from the representations received and which need to be assessed to allow the Department to determine the application. The original application was subject to a full assessment at the time and has been approved. Representations were received and evidence considered from the relevant consultees at the time. The issues raised through this present application are limited in scope. Representations received in respect of them do not raise any complex or controversial matters. Expert consultees including Environmental Health have reviewed the materials and made comment. The relevant issues have been identified, reviewed and assessed and representations have been adequately considered. In this case it is considered that a public local inquiry is unnecessary and that a Notice of Opinion be issued.
- 5.3 The proposal has been considered having regard to the information submitted in support of the development, all relevant material considerations, other documentation submitted with the application, the relevant planning policies, representations received from third parties and the views of bodies with environmental responsibilities. Having weighed all the considerations it is recommended that the application, on balance, should proceed by way of a Notice of Opinion to **grant planning permission** subject to conditions. A Draft Notice of Opinion is attached.

SECTION 54 APPLICATION	
Application No:	SPD/2023/0991/F
Proposal:	Application under Section 54 to remove Condition 5 (restricting the number of daily Belfast to Dublin train services) on planning permission Ref: LA04/2017/1388/F for a New Integrated Public Transport Interchange (the Belfast Transport Hub)
Location:	As per Title page of DMR
The above application was considered at a development management group meeting:	
DM Group recommendation:	Notice of Opinion to Approve
Group Signatures:	<ol style="list-style-type: none"> 1. [REDACTED] 2. [REDACTED] 3. [REDACTED] <p>Date: 05/11/2025</p>

Appendix 1 – Process History

The section 54 application was lodged on 27 November 2023 and was accompanied by a Planning Statement, a section 54 Environmental Report and a letter requesting an EIA Screening Opinion.

An extension of time to make an EIA Determination was requested on 22 December 2023. On 13 February 2024, the Department wrote to the applicant stating that the proposal is EIA development and should be accompanied by an Environmental Statement. An Environment Statement was submitted on 27 March 2024 comprising the original ES submitted with the original planning application and an Addendum. The EIA top up fee was received on 18 April 2024.

The application was advertised in the local press on 14/15 May 2024 and neighbours were notified on 16 May 2024.

A request for information to respond to comments made by Environmental Health was made on 16 August 2024 and a further submission was made on 30 August 2024.

Appendix 2 – Relevant Planning History

LA04/2021/2856/O

Lands to east of West Link (A12) and south of Grosvenor Road; Lands at Grosvenor Road and intersection of Grosvenor Road and Durham Street; Lands to the east of Durham Street and north of Glengall Street; Lands at Glengall Street; Lands between Glengall Street and Hope Street including Europa Bus Station Great Victoria Rail Station surface car parks at St Andrew's Square; Translink lands to west of Durham Street south of BT Exchange building and north of Murray's Tobacco Works.

Proposed mixed use regeneration development comprising office (Class B1), residential apartments (including affordable), retail (Class A1), hotel, leisure (Class D2), public realm, active travel uses, cafes, bars and restaurants, and community uses (Class D1), on lands surrounding the new Belfast Transport Hub and over the Transport Hub car park, to the east and west of Durham St and south of Grosvenor Rd.

Permission Granted 01/05/2023

LA04/2025/0447/F

Temporary change of use of the former Europa Bus Station, comprising vacated bus yard area and station building, connecting to the existing Europa Hotel to provide a hospitality use to include retail, food and beverage market, outdoor seating, landscaping, and entertainment space for a period of 5 years.

Former Europa Buscentre 10 Glengall St, Belfast, BT12 5AH

Permission Granted 16/05/2025

Appendix 3 – Summary of Consultation Responses

In processing the application, the following bodies were consulted upon receipt of the application.

Environmental Health

Air Quality

EH outlined a range of technical and other queries, and areas for clarification within their consultation response. In summary, these relate to:

- The baseline, opening year for Grand Central Station and the 2033 forward projection year;
- The risk of exceedance of short-term air quality objectives for stationary locomotives;
- Part A combustion process located at the nearby Royal Group of Hospitals;
- The derivation of 2033 background data;
- Modelled rail services as detailed within Appendix A Air Quality A.3 Modelled Rail Services;
- The choice of average daily train movements and the assessment of short-term air quality objectives and;
- Technical details concerning the atmospheric dispersion modelling undertaken including model validation, verification and adjustment.

Following receipt of the further clarification, EH responded that they would not object on ambient air quality grounds to the granting of the application under Section 54 to remove Condition 5 (restricting the number of daily Belfast to Dublin train services) on planning permission Ref: LA04/2017/1388/F for a New Integrated Public Transport Interchange (the Belfast Transport Hub).

Noise and Vibration

EH requested clarification on the following matters summarised below:

- the proposed timetable for future Enterprise services (departure and arrival times of the additional Enterprise trains);
- the departure before 07:00hrs is considered to be a night-time movement;

- how the day-time noise modelling exercise is considered a worst case assessment given that the quieter rolling stock SELs were used as model inputs for the 14 day-time movements;
- Submission of a colourised depiction of the noise model;
- the rationale for comparing the modelled 'Scenario 1' noise levels of 32 movements with the 'Baseline' noise levels and not the 'Consented scheme' levels;
- the potential for idling train noise impacts from the additional Enterprise trains within the hub building and if idling train noise has been incorporated into the noise model;
- a more detailed discussion in order to gain an understanding of the exceedances and reductions in noise as presented in Tables 16 and 17; and
- why there is no consideration of any potential vibration impacts.

Following receipt of the further clarification, EH advised that based on the information contained within the submitted Arup documents, which determine that no adverse noise impacts will result as a consequence of the Belfast/Dublin Enterprise Service increasing to 32 rail movements daily, they would offer no objection to the Section 54 application for the removal of Planning Condition 5 from approval LA04/2017/1388/F.

Belfast City Council

BCC strongly support the application to amend the relevant condition to allow more frequent train services between Belfast and Dublin. As a member of the Dublin Belfast Economic Corridor partnership the Council aims to drive sustainable economic growth and competition through collaborative research and development, a highly skilled workforce and supporting infrastructure.

Critical to the success of the corridor, which is home to nearly a third of the island's population, is the well-connected road and rail networks keeping businesses connected to their staff and customers.

A 2024 study conducted by the Economic and Social Research Institute (ESRI) found that the number of cross-border workers increased from 12,740 in 2011 to between 17,827 and 19,282 in 2021 representing a growth rate of between 40 and 51 percent; nearly 14% of these workers travel by train.

According to Intertrade Ireland's most recent reports, 'Cross-border trade in 2022 was estimated at £10billion, a 15 percent increase from 2021'. Further research conducted by ESRI in 2021 indicated a particular opportunity to improve growth in cross-border trade of services with improved transport links enabling such growth.

Echoing our sentiment, the all-island rail review 2024 identified that service frequencies and speeds between Belfast and Dublin are relatively low compared to similar infrastructure in other capital cities. A key recommendation of the review to both Belfast and Dublin is to increase intercity service frequencies.

In the council's view improved intercity connectivity is essential to businesses and communities in Belfast, providing linkages to facilitate trade, investment, tourism, and labour mobility.

Appendix 4 – Summary of Third Party Representations

19 letters of objection have been received. Issues raised in the objections have been summarised below and the relevant planning considerations are addressed in the main body of the report;

- Concern whether Translink are building all of the roof building and whether assessments from the initial planning permission need updated before this condition is removed;
- Calls for a public inquiry into this development;
- There has been no public consultation re Blythfield Park which will be severely impacted by noise and fumes. Childrens park and allotments should never have been sacrificed;
- Health and well being and rights of children been ignored;
- Already congestion in the area;
- Planning process is flawed;
- There has been no consultation with the Education Authority / local schools / Children's Commissioner;
- There has been no estimate done for the impact of the number of extra trains;
- Increase in air and noise pollution will make it impossible for those with health problems to use the allotments/playing fields;
- Impact on interface area;
- Condition should be retained for at least 3 years then applicant could produce a community impact report;
- Considerable impact on local community regarding noise, damage to property and pollution;

- Safety - trackbed of the new station is not of sufficient strength to carry the weight of Enterprise trains and platforms are not of sufficient width to safely accommodate passenger volumes, with additional concerns relating to disabled passengers;
- considerable impact on working class residents living near the railway;
- original condition in place to protect neighbours from excessive noise and vibration;
- impact on residential amenity - increased disruption, particularly during early mornings and late evenings, additional noise from passing trains, horns, and vibrations will be intrusive and diminish the enjoyment of homes, affect overall quality of life;
- proposal will attract more commuters to the station, worsening traffic problems and congestion. Parking is limited, and extra demand will place more strain on the infrastructure, leading to even more delays and difficulties for residents; and
- increase in train services will drastically increase noise levels and vibration, causing severe disruption for residents along these routes. Impact on working class residents that have to live with the increased disruption.

3 letters of support have also been received making the following points:

- a frequent, reliable and affordable train service between Belfast and Dublin will enable increased cross border collaboration, improve cross border mobility and enhance economic opportunities.
- the additional trains are all of similar noise and pollution profiles to trains operating local services. It is irrational to permit the operation of additional services within Northern Ireland from Grand Central using low noise DMUs but to forbid additional services to Dundalk, Drogheda and Dublin.

Appendix 5 – Reasoned Conclusion

The proposed development has been applied for under s54 of the Planning Act (NI) 2011 and seeks removal of condition 5 of planning permission LA04/2017/1388/F which was for a new public transport interchange – the Belfast Transport Hub. The applicant proposes development without compliance with Condition 5 which restricts the number of daily Belfast to Dublin Train services to 8 each way and 16 in total.

A Section 54 application does not allow for the amendment of the description of development of the previous (original) permission and if successful results not in the variation of an already existing permission, but the grant of a fresh permission for the same description of development as the original application. The original application, LA04/2017/1388/F was accompanied by an Environmental Statement (ES) which considered the likely significant impacts of the project on the environmental aspects within and around the project (ecology and nature conservation, air quality, noise and vibration, ground conditions, historic environment, townscape and visual impact, the water environment, socio-economic conditions, transport and waste) and included the measures envisaged to mitigate those impacts, where required.

The applicant submitted an addendum to the original ES to accompany the current application. This considers the potential significant impacts on environmental aspects within and around the proposed development that could occur as a result of the non-compliance with condition 5 attached to the original permission. Some of the aspects considered in the original ES will be unaffected by the non-compliance and thus the conclusions drawn on those remain unchanged. An assessment of compliance of the proposed development with the objectives and requirements of the EIA took into account the following reports and supporting information that formed part of the application package:

- ES and Appendices
- ES Non-Technical Summary
- ES FEI I & 2
- Section 54 Application ES Addendum
- Section 54 Application ES Addendum Non Technical Summary

- Planning Statement
- Response to BCC Environmental Health Department's Request for Clarification

The assessment also took into consideration written responses made by the Environmental Health Department Belfast City Council.

The Department has examined the environmental information. The examination involved whether the EIA process identified, described and assessed the direct and indirect effects of the project taking into account both the information supplied by the applicant and the feedback provided by consultation responses. Consultation responses are available in full on the planning portal and are summarised in this Development Management Report (DMR). After the examination undertaken by the Department, the main likely significant effects and mitigation measures (where required) of the proposed development on the environment are as follows:

Noise

The assessment examines the impact of noise and vibration from the additional trains on sensitive receptors in the vicinity of the Belfast Transport Hub application site. The conclusion is that the removal of Planning Condition No.5 would not result in any new likely significant effects and no additional mitigation is therefore required.

Air Quality

The assessment examines the impact of rail emissions from the additional trains on the air quality of sensitive receptors in the vicinity of the Belfast Transport Hub application site. The conclusion is that the removal of Planning Condition No.5 would not result in any new likely significant effects and no additional mitigation is therefore required.

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SPD/2023/0991/F Addendum to Development Management Report (DMR)

The Proposal

1. This is an Addendum to the DMR for SPD/2023/0991/F which is an application under section 54 to remove Condition 5 (restricting the number of daily Belfast to Dublin train services) on planning permission LA04/2017/1388/F for the Belfast transport hub proposal *“New integrated public transport interchange comprising; station concourse, 26 bus stands, 8 railway platforms, bus maintenance and parking, track and signalling enhancements, bus access bridge, cycle and taxi provision, car parking, new public square, public realm improvements, highway improvements, infrastructure improvements, temporary structures for bus operations during construction and temporary site construction compounds”*.

Conditions referencing Private Streets Determination Drawings (PSDs)

2. The DMR was grouped on 5 November 2025 and submitted to the Minister on 13 November 2025 with a recommendation to approve. Subsequent to that date, the agent requested the Department delay issue of the Notice of Opinion (NOP) until the revised versions of the PSDs had been agreed by DfI Roads. They advised that Translink’s preference was to hold off issuing the NOP until the queries regarding the status of the road drawings were resolved across parties. That way the planning conditions could reference the up to date PSD drawings rather than outdated versions.
3. The agent and Translink met with Roads colleagues to discuss the PSDs and final copies were provided to DfI Planning & DfI Roads on 12 March 2026. DfI Roads confirmed on 18 March 2026 that:
 - the drawings submitted are acceptable as updated PSDs for the whole Transport Hub project;
 - that they were content that they are referenced in any decision notice on planning application SPD/2023/0991/F; and.
 - these drawings accord with the detailed roads drawings approved under condition 6 under SPD/2024/0067/DC as set out in Juno’s position paper.
4. One of the PSD drawings provided did not correspond to the equivalent drawing approved under Condition 6, however that version has now been resubmitted for a partial discharge under Condition 6 and DfI Roads have indicated they are content. The PSDs provided on 12 March 2026 therefore remain accurate.

5. It is therefore proposed to revise the original conditions 9 & 10 to include reference to these updated PSD drawings. Revised text of these conditions is below:

The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.

The Department hereby determines that the width, position and arrangement of the streets, and the land to be regarded as being comprised in the streets, shall be as indicated on Drawing Nos. C0423-ARP-XX-DR-CH-0029 P04, C0423-ARP-XX-DR-CH-0030 P04, C0423-ARP-XX-DR-CH-0031 P04, C0423-ARP-XX-DR-CH-0032 P04, C0423-ARP-XX-DR-CH-0033 P04, C0423-ARP-XX-DR-CH-0034 P04, C0423-ARP-XX-DR-CH-0035 P06, C0423-ARP-XX-DR-CH-0041 P05, C0423-ARP-XX-DR-CH-0042 P05, C0423-ARP-XX-DR-CH-0043 P03, C0423-ARP-XX-DR-CH-0044 P05, C0423-ARP-XX-DR-CH-0046 P03 and C0423-ARP-XX-DR-CH-0047 P03, received by the Department on 12 March 2026.

The Department hereby attaches to the determination a requirement under Article 3(4A) of the above Order that such works shall be carried out in accordance with an agreement under Article 3 (4C).

Reason: To ensure there is a safe and convenient road system within the development and to comply with the provisions of the Private Streets (Northern Ireland) Order 1980.

The Private Streets (Northern Ireland) Order 1980 as amended by the Private Streets (Amendment) (Northern Ireland) Order 1992.

Prior to the completion of the development and completion of demobilisation of the site within Phase 6 (as detailed in the Construction Programme in Section 2 of the Further Environmental Information (FEI) 2 Submission dated April 2018) or within 12 months of the date of this permission, whichever occurs first, the works necessary for the improvement of a public road shall be completed in accordance with the details outlined blue on Drawing Nos. C0423-ARP-XX-DR-CH-0029 P04, C0423-ARP-XX-DR-CH-0030 P04, C0423-ARP-XX-DR-CH-0031 P04, C0423-ARP-XX-DR-CH-0032 P04, C0423-ARP-XX-DR-CH-0033 P04, C0423-ARP-XX-DR-CH-0034 P04, C0423-ARP-XX-DR-CH-0035 P06, C0423-ARP-XX-DR-CH-0041 P05, C0423-ARP-XX-DR-CH-0042 P05, C0423-ARP-XX-DR-CH-0043 P03, C0423-ARP-XX-DR-CH-0044 P05, C0423-ARP-XX-DR-CH-0046 P03 and C0423-ARP-XX-DR-CH-0047 P03, received by the Department on 12 March 2026.

The Department hereby attaches to the determination a requirement under Article 3(4A) of the above Order that such works shall be carried out in accordance with an agreement under Article 3 (4C).

Reason: To ensure that the road works considered necessary to provide a proper, safe and convenient means of access to the development are carried out.

6. Although referenced in conditions, the PSDs do not form part of the section 54 planning application. As such, it is not considered necessary to advertise the receipt of these drawings or to carry out neighbour notification. They have been uploaded to the planning portal under this application for reference only.

Condition on Air Quality Monitoring

7. Condition 14 on the original planning permission required an air quality monitoring survey to be carried out within the concourse area for a period of one year after opening. After the previous DMR had been grouped, the agent asked for an amendment to condition 14

stating that having installed the equipment and started the monitoring, Translink suggested that it would be beneficial for them to undertake 24 months of monitoring with a check in period with Environmental Health after 12 months. Following discussions with Belfast City Council Environmental Health Department, it has been agreed that the period of monitoring should remain as one year unless the submission highlights a need for further monitoring. The final wording of the condition is proposed as follows:

An Air Quality monitoring survey shall be conducted within the concourse area adjacent to the Grosvenor Road entrance to the station within 3 months of opening in accordance with the government's Local Air Quality Management Technical Guidance LAQM.TG(22) for the period of one year in order to demonstrate compliance with the hourly mean limit value for NO2 concentrations. On completion of the air quality monitoring survey, the air quality monitoring results shall be submitted to the Planning Authority within one month for review, and the results or a period of further monitoring must be approved in writing with the Planning Authority. Any further monitoring shall be implemented as agreed. In the event that the monitored NO2 levels exceeds the 1-hour limit value, the applicant shall submit a mitigation plan to the Planning Authority in order to reduce NO2 levels below the limit value. This Plan must be agreed in writing with the Planning Authority and implemented as agreed.

Reason: Protection of human health

Conditions on Archaeological Mitigation

8. Condition 29 on the original planning permission required the submission and implementation of a programme of archaeological works. As the agreed archaeological programme of works has been fully implemented on site, Historic Environment Division provided an updated condition (after the previous DMR had been grouped) relating to the final stages of archaeological mitigation, namely the preparation of an archaeological report and excavation analysis. The revised condition reads as follows;

A programme of post-excavation analysis, preparation of an archaeological report, dissemination of results and preparation of the excavation archive shall be undertaken in accordance with the programme of archaeological work approved under SPD/2024/0064/DC. These measures shall be implemented and a final archaeological report shall be submitted to the Planning Authority within 12 months of the completion of archaeological site works, or as otherwise agreed in writing with the Planning Authority.

Reason: To ensure that the results of archaeological works are appropriately analysed and disseminated and the excavation archive is prepared to a suitable standard for deposition.

Conclusion

9. The conclusion of the original DMR remains unchanged. However, it is recommended that the NOP to approve now contains the above amended conditions for the reasons discussed above. A revised draft NOP is attached at Annex 1.

SECTION 54 APPLICATION	
Application No:	SPD/2023/0991/F
Proposal:	Application under Section 54 to remove Condition 5 (restricting the number of daily Belfast to Dublin train services) on planning permission Ref: LA04/2017/1388/F for a New Integrated Public Transport Interchange (the Belfast Transport Hub)
DM Group recommendation:	Notice of Opinion to Approve
Group Signatures:	<ol style="list-style-type: none"> 1. [REDACTED] 2. [REDACTED] 3. [REDACTED] <p>Date: 02/04/2026</p>

Development Management Officer Report

Committee Application

Summary	
Application ID: LA04/2026/0393/F	Committee Meeting Date: 19 th May 2026
Proposal: Temporary planning approval for a caravan / campervan / motorhome site, with ancillary facilities including communal recreational spaces, toilets, showers, waste disposal points, food and drink area, site office, waste collection, lights, storage areas and all associated temporary structures and works	Location: Lands at the Titanic Quarter, between Hamilton Road, Queens Road and Sydenham Road. Immediately NE, E and SE of Belfast Metropolitan College, approximately 150m SE of Titanic Hotel, 8 Queens Road, Belfast, BT3 9DT.
Referral Route: Section 3.8.5(a) of the scheme of Delegation – Application has been made by the Council.	
Recommendation:	Approval subject to conditions
Applicant Name and Address: Belfast City Council Property & Projects Department 9-21 Adelaide Street Belfast BT2 8DJ	Agent Name and Address: Sinead McAvoy TSA Planning 20 May Street Belfast
Date Valid: 6 th March 2026	
Target Date: 16 th October 2026	
Contact Officer: Lisa Walshe, Principal Planning Officer (Development Management)	
<p>Executive Summary:</p> <p>The site is located at a vacant area of hardstanding within Titanic Quarter, bounded by Queen’s Road, Hamilton Road and Sydenham Road. The site measures 4.8ha and is located within close proximity of the Titanic Museum and Hotel, H&W cranes, and the Odyssey Arena. The temporary campsite will be used to help accommodate some of the expected 800,000 visitors for Fleadh Cheoil na hÉireann which Belfast is set to host during August 2026 and 2027.</p> <p>DFI Roads and Environmental Health were consulted in relation to the proposal. DFI Roads have responded and raised no objection. Environmental Health requested the submission of a Preliminary Risk Assessment in their consultation response dated 10th April 2026. This information has been submitted and a delegated authority is requested to finalise a response.</p> <p>The application has been neighbour notified and advertised in local press. No representations have been received.</p>	

Recommendation

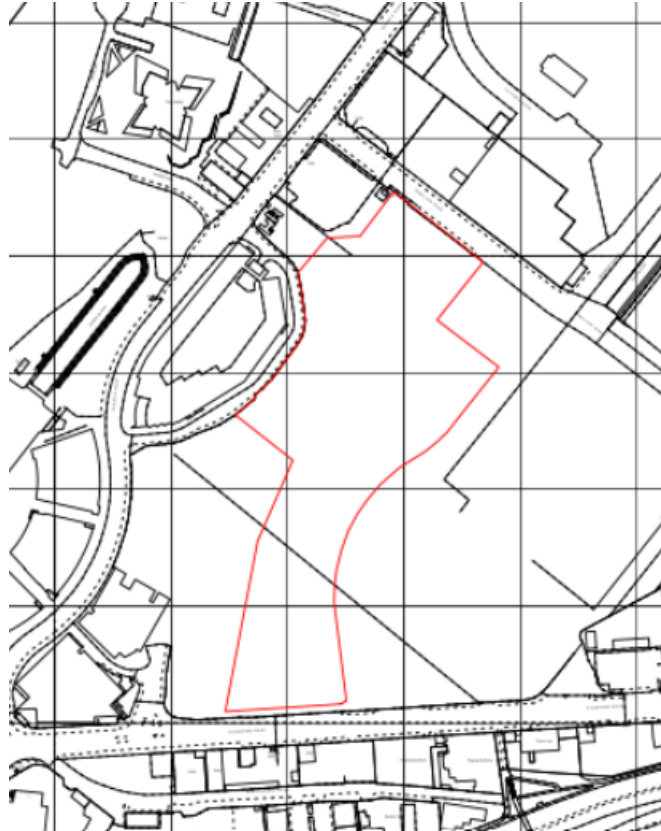
Having regard to the development plan, planning history on the site, and other material considerations, the proposal is considered acceptable.

It is recommended that planning permission is granted, and it is requested that delegated authority be given to the Director of Planning and Building Control to resolve a final response from Environmental Health and finalise the wording of conditions and deal with any matters which may arise they are not substantive.

Case Officer Report

Site Location Plan and approved layout

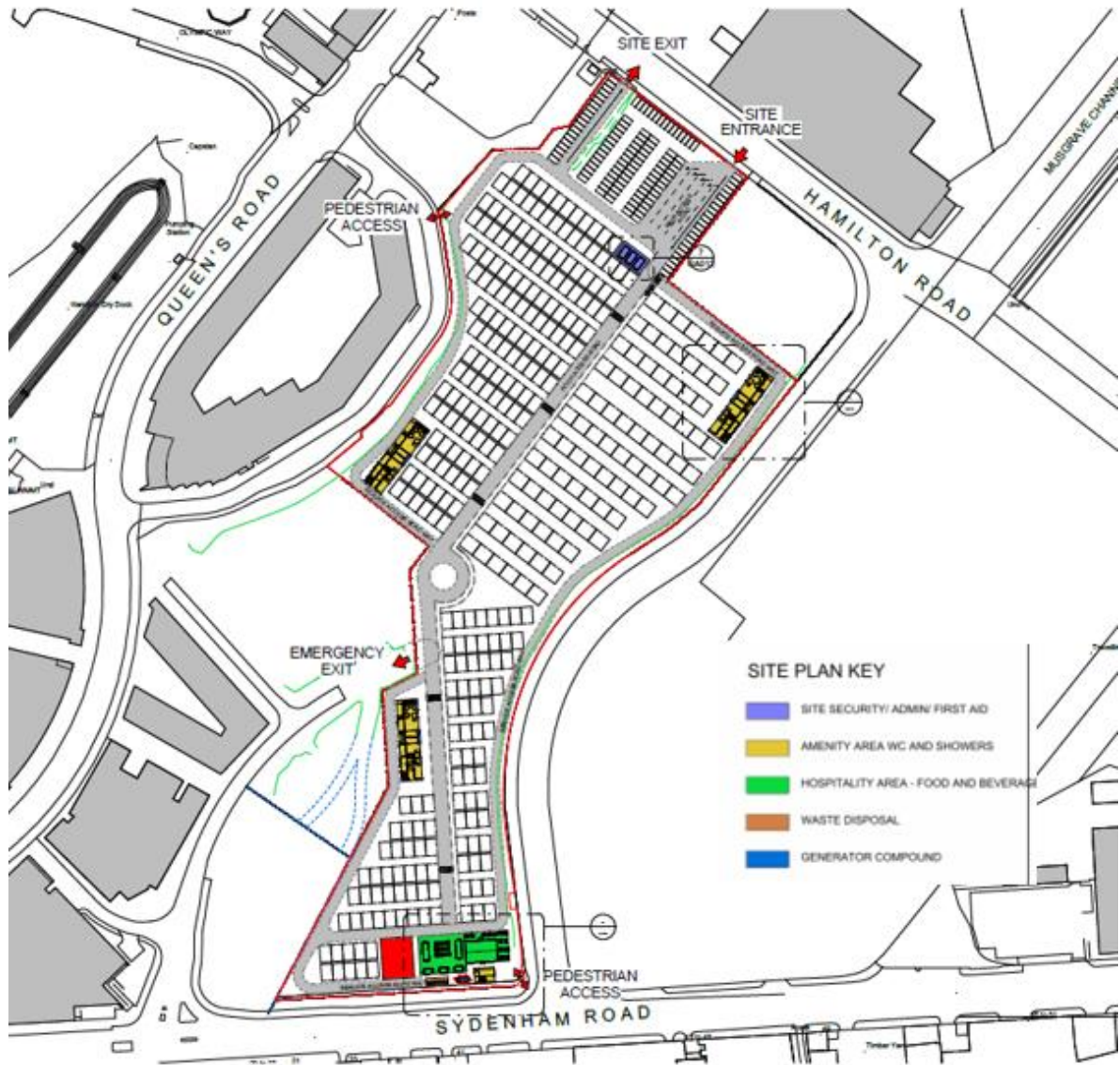
Site location Plan



Aerial view of site



Layout of site



1.0 Description of Proposed Development

- 1.1 Temporary planning approval for a caravan / campervan / motorhome site, with ancillary facilities including communal recreational spaces, toilets, showers, waste disposal points, food and drink area, site office, waste collection, lights, storage areas and all associated temporary structures and works
- 1.2 The land will provide 349 pitches, 124 parking spaces, 55no. WCs and 20 showers. A Social Hub will be located on the northwest of the site consisting of a food and drinks area, containers, seating area and marquee bar area. The northern section of the site will facilitate an effluent tank, silenced generators and waste disposal/ recycling area.

<p>2.0</p> <p>2.1</p> <p>2.2</p>	<p>Description of Site</p> <p>The site is located at a vacant area of hardstanding within Titanic Quarter, bounded by Queen’s Road, Hamilton Road and Sydenham Road. The site measures 4.8ha and is located within close proximity of the Titanic Museum and Hotel, H&W cranes, and the Odyssey Arena.</p> <p>The site is un-zoned “white land” in the Belfast Urban Area Plan 2001 and both versions of the Belfast Metropolitan Area Plan (2004 and 2014).</p>
<p>3.0</p> <p>3.1</p>	<p>Planning History of the application site</p> <p>None relevant to this proposal.</p>
<p>4.0</p>	<p>Policy Context</p>
<p>4.1</p> <p>4.2</p>	<p>Section 6(4) of the Planning (Northern Ireland) Act 2011 states that in making any determinations under the Act, regard is to be had to the local development plan, and the determination must be made in accordance with the plan unless material considerations indicate otherwise.</p> <p>Section 45(1) of the Act states that in determining planning applications, the Council must have regard to the local development plan, so far as material to the application, and to any other material considerations.</p> <p>The Belfast Local Development Plan (LDP), when fully completed, will replace the Belfast Urban Area Plan 2001 as the statutory Development Plan for the city. The Belfast LDP will comprise two parts. Part 1 is the Plan Strategy, which contains strategic and operational policies and was adopted on 02 May 2023. Part 2 is the Local Policies Plan, which will provide the zonings and proposals maps for Belfast and has not yet been published. The zonings and proposals maps in the Belfast Urban Area Plan 2001 remain part of the statutory local development plan until the Local Policies Plan is adopted.</p> <p>Operational policies – the Plan Strategy contains a range of operational policies relevant to consideration of the application. These are listed below:</p> <p>TLC1 Supporting tourism, leisure and cultural development ENV2 Mitigating Environmental Change ENV3 Adapting to Environmental Change ENV5 Sustainable Drainage System TRAN1 Active travel - walking and cycling. TRAN2 Creating an accessible environment TRAN8 Car Parking and Servicing Arrangements</p> <p>Proposals Maps – until such time as the Local Policies Plan is adopted, the Council must have regard to the land-use zonings, designations and proposals maps in the Belfast Urban Area Plan 2001, both versions of the draft Belfast Metropolitan Area Plan (v2004 and v2014) (draft BMAP 2015), HMO Subject Plan 2015 and other relevant area plans. The weight to be afforded to these proposals maps is a matter for the decision maker. Whilst the Belfast Urban Area Plan 2001 remains the statutory plan insofar as the proposals maps (“Departmental Development Plan), it is considered that significant weight should be given to the proposals map in draft BMAP 2015 (v2014) given its</p>

	<p>advanced stage in the development process, save for retail policies that relate to Sprucefield which remain contentious.</p> <p><u>Regional planning policy</u> Regional Development Strategy 2035 (RDS) Strategic Planning Policy Statement for Northern Ireland 2015 (SPPS)</p>
5.0	<p>Statutory Consultees DFI Roads – no objection</p>
6.0	<p>Non-Statutory Consultees BCC Environmental Health – preliminary risk assessment and further information relating to noise required. Information outstanding from applicant.</p>
7.0	<p>Representations The application was neighbour notified and advertised in the local press. No representations were received.</p>
8.0	<p>ASSESSMENT</p>
8.1	<p>The key issues for the assessment of the application are:</p> <ul style="list-style-type: none"> - Tourism. - Impact on the character and amenity of the area. - Transport, Access and Parking.
8.2	<p><u>Principle of development</u></p> <p>Belfast is due to host Fleadh Cheoil na hÉireann, the world’s largest celebration of Irish music and culture in August 2026 and August 2027. The festival is expected to bring a minimum of 800,000 visitors to the city. The proposal seeks permission for temporary approval of a caravan, campervan and motorhome site at Titanic Quarter to help accommodate the high level of visitors. The temporary use is acceptable in principle subject to material considerations below.</p>
8.3	<p><u>Tourism, Leisure and Cultural Development</u></p> <p>Policy TLC1 of the LDP states that the Council will be supportive of tourism leisure and cultural development which contributes to a) extending the offer across the daytime and night time for a broad range of visitors; and b) improving the quality, and accessibility of tourism, leisure and culture facilities and assets to support Belfast’s reputation as an attractive tourism destination.</p>
8.4	<p>As the world’s largest celebration of Irish music and culture, Fleadh Cheoil na hÉireann will significantly boost the economy of the city. The proposed temporary campsite would comply with Policy TLC1 in that it supports the offer across the daytime and nighttime economy, including its own social hub with food and drink facilities. In providing accommodation for motorhomes and caravans for people both taking part in the festival and attending it, the proposal will directly improve the accessibility to tourism and support Belfast’s reputation as an attractive tourist destination.</p>
8.5	<p><u>Transport, Access and Parking</u></p> <p>The dedicated vehicular site access will be located on Hamilton Road to the northeast of the site. No new junction works are required to facilitate this access. Ramped pedestrian</p>

	<p>access is located at Bell's Theorem Crescent northwest of the site and Hamilton Road to the southeast of the site. This access point provides easy access to adjacent bus stops and Titanic Quarter train station. In addition to bus stops, train and glider services, the Supporting Statement notes that there will be a dedicated shuffle bus in operations to provide special services between key venues across the city and the application site. The proposal would comply with Policy TRAN2.</p>
8.6	<p>Pedestrian access from the site at Bells Theorem Crescent links into existing footpaths around the site and leads to the Queens Road and links directly to the Maritime Mile. Pedestrian and cycle link routes to Belfast City Centre from the site are easy and accessible, supporting active travel from the site in line with Policy TRAN1 Active travel - walking and cycling.</p>
8.7	<p>DFI Roads were consulted in relation to the proposal and have offered no objections.</p> <p><u>Impact on Character and amenity of the area</u></p>
8.8	<p>The proposal would not have a negative impact on the character or amenity of the surrounding area as the facilities on site are temporary in nature. The existing site is derelict parcel of land with no developments bounding the site which would be directly impacted by the development. The proposal would not have any greater detrimental impact on the visual amenity of the area than the existing site characteristics. There will be no adverse impact by way of loss of privacy, daylight or dominance to any of the neighbouring properties.</p>
8.9	<p>The Supporting Statement notes that the closest receptor in regard to residential amenity would be the bedrooms of Titanic Hotel. A Noise Impact Assessment was carried out which considered potential noise from the generators, and outdoor tables of the bar area. The assessment concluded that the proposal would not have an adverse impact on residential amenity due to noise. Environmental Health requested further information and the layout was amended to address concerns.</p>
8.10	<p><u>Consultations</u></p> <p>DFI Roads have no objection to the proposed development.</p> <p>Environmental Health were consulted and have requested the following information which remains outstanding:</p> <p><u>Contaminated Land</u></p> <ul style="list-style-type: none"> - A Preliminary Risk Assessment <p><u>Noise</u></p> <ul style="list-style-type: none"> - Patron numbers and patron management plan for hospitality area - Details of amplified sound/ non-amplified sound - Generator compound details
8.11	<p><u>Pre-application Community Consultation</u></p> <p>The application was preceded by a Proposal of Application Notice (PAN) which set out the applicant's proposals for pre-application community consultation.</p>
8.12	

<p>8.13</p> <p>8.14</p> <p>8.15</p> <p>8.16</p> <p>8.17</p> <p>8.18</p>	<p>The application is accompanied by a mandatory Pre-application Community Consultation Report (PACC). The PACC report describes the comprehensive pre-application consultation undertaken by the applicant.</p> <p>The applicant actively sought the views of the public and stakeholders with regards to this development by utilising the following methods of engagement:</p> <ul style="list-style-type: none"> • Distribution of an information leaflet containing information on the upcoming Public Consultation event and website link, the location of the site description of the proposal and contact details for the design team; • Press advertisement in the Irish News, Belfast Telegraph and News Letter which identified the proposals, provided information on the Public Consultation Event and website link and full contact details of the design team; • In Person Consultation Event to allow interested members of the public to learn more about the proposal and discuss any queries with the design team; • A virtual consultation website was hosted which allowed visitors to submit feedback. • Notification to elected representatives with details of the in-person drop in event. <p>There were 3 attendees at the consultation event and 1 comment card was completed and returned; 4 respondents emailed the design team directly; and of the 31 views on the website 15 people provided feedback. 8 people said they supported the application but didn't leave additional comments.</p> <p>The feedback from the public included desire for permanent campsites for motorhomes in Belfast, supportive of proposal as visitors will boost local economy, proposal should not encroach on the Titanic Museum, security should be stepped up, extra public transport services should be put on, drug use on site, ban on laundry services within site, plentiful and high quality shower and WCs should be provided, support dog owners and provide secure base close to walking routes, reasonable pricing required, increased congestion, create noise and refuse pollution, proposed use is not appropriate for this location and would have a detrimental impact on the tourist attractions at TQ.</p> <p>The PACC included a project summery report from the online survey website which concluded that 69.2% are supportive with 30.8% not supportive of the proposal.</p> <p>These comments were reviewed and considered within the PACC report, detailing how the feedback was gathered, analysed, assessed and considered.</p> <p>It is considered that the Pre-Community Consultation Report submitted has demonstrated that the applicant has carried out their duty under Section 27 of the Act to consult the community in advance of submitting an application.</p>
<p>9.0</p> <p>9.1</p> <p>9.2</p>	<p>Recommendation</p> <p>Having regard to the development plan, planning history on the site, and other material considerations, the proposal is considered acceptable.</p> <p>It is recommended that planning permission is granted, and it is requested that delegated authority be given to the Director of Planning and Building Control to resolve a final response from Environmental Health and finalise the wording of conditions and deal with any matters which may arise they are not substantive.</p>
<p>10.0</p>	<p>Draft Condition</p>

10.1	<p>The development hereby permitted shall be for a temporary period of 18 months from the date of approval. The caravan/camping/motorhome use of the site shall only be operational for the purposes of hosting the Fleadh Cheoil na hÉireann festival and for no longer than 6 weeks in the 18 months and for no other event or purpose throughout the year. The site shall be cleared and re-instated to its former condition upon expiry of the temporary permission.</p> <p>Reason: To provide temporary visitor accommodation for the duration of the City of Belfast hosting of the Fleadh Cheoil na hÉireann in 2026 and 2027.</p>
12.0	Representations from elected members: N/A

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